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**MERGER TASK FORCE
ESSEX/ESSEX JUNCTION
MEETING MINUTES
February 1, 2006**

MEMBERS PRESENT: Hans Mertens, Hugh Sweeney, Linda Myers, John Lajza, Deb Billado, Irene Wrenner, Rene Blanchard, George Boucher.

STAFF PRESENT: Charles Safford, Village Manager, Pat Scheidel, Town Manager, Todd Odit, Assistant Town Manager.

OTHERS PRESENT: Bob Marcotte, Dave Willey, Kathy Mertens, Barbara A. Higgins, Chuck Lloyd.

BUSINESS AGENDA

Mr. Mertens called the meeting to order. Mr. Sweeney informed the Task Force, which was aware that Mr. Overton would be out of Town for an extended amount of time, that Mr. Overton contacted him that evening and informed him he decided to step down as a member of the Task Force. Mr. Sweeney explained that Mr. Overton had already spoken to the Chair of the Selectboard, Mr. Tom James, who Mr. Sweeney assumed would take some action in regards to this issue. Mr. Sweeney expressed his thanks to Mr. Overton on behalf of the Task Force and that although he would be sad to see him leave, he knew that Mr. Overton would enjoy a full winter in Florida. Mr. Mertens stated that he would like to entertain a motion later in the meeting in regards to issuing a resolution of thanks.

Mr. Mertens invited the Public to address any of the Agenda items that night.

Public Input on Agenda Items

Mr. Marcotte reminded the Task Force that he was in favor of having both Recreation Departments merged into one department and be under the purview of the municipal government. He understood there was an idea of a Recreation District, but felt that solution would be more complicated and disjointed and felt they should, instead, work with the current situation.

Approve Minutes of January 25, 2006

HUGH SWEENEY MOVED AND RENE BLANCHARD SECONDED A MOTION TO APPROVE THE MINUTES OF JANUARY 25, 2006 WITH THE FOLLOWING CORRECTIONS:

**Line 70: After “2013” add quotation mark. Line 73: After “Census.” add quotation mark.
Line 279: Delete “.” at end of the sentence. Line 295: After “submission.” Delete “.” Line 336: Replace “precedence” with “precedent”. Line 351: After “Nye” strike (6). Line 496: Strike “?”. Line 618: Replace “Mr.” with “Ms.”**

48 **THE MOTION PASSED 7-0-1. (Deb Billado abstained)**49 **Discussion and Decision Regarding Recreation Organization Structure**

50

51 Mr. Mertens asked Mr. Willey, a member of the Unified Union Study Committee, to join the Task
52 Force for questioning and discussion. Mr. Mertens recapped the progress to date in regards to the
53 Recreation Department issue. He reminded the Task Force that Mr. David Willey and Mr. Kent
54 Booraem made a presentation to the Task Force a month ago in regards to the Recreation issue. At
55 that meeting, the Task Force decided to create a Fact-Finding Group, and Ms. Wrenner and Mr.
56 Mertens met with Mr. Willey and Mr. Booraem to brainstorm and discuss ideas. As a result, Mr.
57 Willey and Mr. Booraem developed a letter regarding the Parks and Recreation Governance
58 Recommendations in the form of a memo to the Unified Union Study Committee. Mr. Mertens
59 explained that the Task Force members had a copy of that memo, which would be summarized by
60 Mr. Willey. Mr. Mertens stated that he hoped after an question/answer time, that the Task Force
61 would reach a conclusion to their decision about a merged Parks and Recreation Department. Mr.
62 Willey introduced himself as a member of the Unified Union Study Committee for the towns of
63 Essex, Essex Junction and Westford. He stated that the issue of Recreation and Park was under the
64 governance of the Prudential Committee in the Village, which prompted their interest and
65 participation in this matter. Mr. Willey presented his memo and wondered how the Task Force
66 would like him to discuss it. Mr. Mertens suggested going through each paragraph line by line and
67 as questions arose, Mr. Willey could answer them.

68

69 Mr. Willey stated that the first two paragraphs of the memo summarized the process that led to Mr.
70 Willey and Mr. Booraem being appointed to meet with the Task Force, which occurred on
71 December 20, 2006. He reminded the Task Force that at that time, he and Mr. Booraem had
72 presented a third option of a separate Recreation and Parks District. He explained that the result
73 from that meeting was 1) the preliminary reaction to a Parks and Recreation District was not
74 positive and 2) the option for a merged department to operate under the municipal entity versus
75 schools seemed to have the most support. Further discussion of that meeting resulted in a fact-
76 finding group that included two Task Force members, Ms. Wrenner and Mr. Mertens.

77

78 At that point, Mr. Willey asked if members had had an opportunity to read through his memo. Mr.
79 Mertens asked for clarification on the last sentence of the first paragraph, which read, "Our
80 recommendation is based upon the optimistic premise that both schools and municipalities will
81 merge." He asked if only the schools merged or if only the municipalities merged, did Mr. Willey's
82 recommendation stand? Mr. Willey commented that he had heard similar questions from the
83 Unified Union Study Committee as well in regards to that issue. He explained that he selected that
84 scenario because it kept the matter simplified and short and that it would have taken too long to
85 include all scenarios. He stated that they took the positive approach and assumed the success of
86 merger for both the school and the municipalities. Mr. Willey explained that if one or the other did
87 not merge, the recommendation would depend on which one did not merge. He added that in that
88 situation, it would have to be looked at when it happened as opposed to determining a "what-if"
89 decision. Mr. Mertens clarified that the sentence was not being exclusive, but was one likely
90 scenario, and Mr. Willey agreed.

91

92 Mr. Sweeney asked about the response from the Unified Union Study Committee as to their
93 recommendations, and Mr. Willey explained that the response was in a latter part of his

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94 presentation. Mr. Willey informed the Task Force that the meetings with Mr. Mertens and Ms.
95 Wrenner were clear, truthful and productive. The results of the meetings were 1) a desire to
96 simplify potential community merger issues 2) that the Task Force Committee was striving for tax
97 equity, 3) that the proposed community governance-Manager/Council, cleanly accommodated
98 recreation as a municipal entity and 4) that the Recreation Departments as a merged entity had the
99 potential to provide better, or equally as good, services to all age groups. Ms. Billado had a
100 question in regards to the number four, and Mr. Willey suggested finishing with the presentation of
101 information prior to number four, and Ms. Billado understood. Mr. Willey stated that he and Mr.
102 Booraem were open to sharing their thoughts that led to their recommendations.

103

104 In regards to the fourth paragraph, Mr. Willey quoted their motion as being, "We move that the
105 Unification Study Committee recommend to the Merger Task Force that in the event of merger of
106 both the schools and the municipalities that their plan of merger include a recommendation that the
107 combined Parks and Recreation Department operate under the Municipal Council/Manager." In
108 regards to the five points of reasoning for the recommendation, Mr. Willey summarized that each
109 one of the current Departments provided quality programs and he did not see any differences with it
110 being under the school department versus the municipal government. He believed that if the merger
111 was successful, the Parks and Recreation Departments would still be held accountable for providing
112 quality programs. Mr. Willey explained that the process in number five of their reasons for their
113 recommendation, described their belief that the Parks and Recreation being under the municipal
114 umbrella provided the most simplified and acceptable path. In regards to the five stipulations to the
115 motion, Mr. Willey explained that the stipulations described how the motion should include how
116 the Recreation Departments should operate under the Manager/Council government. He informed
117 the Task Force that the five stipulations were the five recommendations from the Prudential
118 Committee's resolution. He remarked that there was a lot of discussion amongst the members of the
119 Unification Committee about the wording and the optimistic premise that both the schools and the
120 municipalities would merge. As a result of the discussion with the Unification Study Committee,
121 the motion passed 11-3 in their open meeting, with one member being absent and one abstaining.
122 He noted that the Unification Study Committee was comprised of eight members the Town, six
123 from the Village and two from Westford. He mentioned that Westford did not have much concern
124 about this issue.

125

126 Mr. Sweeney asked if the recommendation was still valid if the schools did not merge? Mr. Willey
127 stated that if the Unified Union Study Committee was not successful in merging the school districts,
128 then the issue would be out of their jurisdiction and would be under the purview of the Council, and
129 members stated, the Trustees. Mr. Sweeney confirmed that if the school merger was unsuccessful,
130 then the issue would return to the Selectboard and Trustees, and Mr. Willey agreed. Mr. Sweeney
131 asked for clarification about the second stipulation, which stated, "A formal governance
132 relationship should continue, in some way, with the community's public school system." Mr.
133 Willey explained that they wanted to ensure the involvement from the school and reminded Mr.
134 Sweeney that these were stipulations that were taken from the Prudential Committee's resolution.
135 Mr. Sweeney asked how this stipulation could be met? Mr. Mertens suggested that a vehicle such
136 as the Recreation Advisory Committee might be one way to meet that stipulation, and Mr. Willey
137 agreed. Mr. Sweeney asked for clarification about the Recreation Advisory Committee. Mr. Willey
138 stated that the Recreation Advisory Committee had members that were appointed by the School
139 Board to advise the Park and Recreation Director and to work with him to understand the

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140 community's needs and advise him on programming. Mr. Sweeney clarified that Mr. Willey was
141 recommending that an Advisory Board be appointed by the School Board, and Mr. Willey felt it
142 would be a decision for the Town Council. Mr. Safford explained that presently the Trustees owned
143 the Parks, and Mr. Tim Jerman was a member of the Recreation Advisory. If the Recreation
144 Department was under the Council/Manager, the Council could choose to appoint a representative
145 from the School Board or from the school to be on that Recreation Advisory Committee. Mr.
146 Sweeney wanted clarification as to the boundaries of the stipulation. Ms. Myers stated that she
147 disliked the idea of a Recreation Advisory Board, but instead, was in favor of an informal
148 agreement between the Town and the schools to provide the facilities and run the programs in the
149 same manner as the present time. Mr. Sweeney pointed out to Ms. Myers that the second stipulation
150 referred to a governance relationship, which was more than an agreement. Mr. Willey felt the issue
151 was an agreement between the Town and the schools so that the Parks and Recreation Department
152 could use the school facilities without going through the formal process of getting space approved.
153 He reminded the members that the money for funding both the schools and the Recreation
154 Department came from the taxpayers and if one of the entities did not cooperate with the other, then
155 the taxpayers could and should take action.

156

157 Mr. Mertens clarified with Mr. Willey that "governance relationship" meant access to facilities, and
158 Mr. Willey stated that it meant that the Parks and Recreation Department would know that they had
159 the access to the space and could arrange the necessary programs in a timely fashion, without
160 having to go through the Superintendent's Office every time they needed space. Ms. Myers stated
161 that was how it was done at the present time in the Town of Essex. Mr. Mertens asked if Ms. Myers
162 or Mr. Scheidel could explain the Town relationship between their schools and the Parks and
163 Recreation Department. He also asked Mr. Safford to explain the Village relationship between their
164 schools and their Parks and Recreation Department to better understand the situation.

165

166 Mr. Mertens, based on the memo from Mr. Willey and Mr. Booraem, summarized their concern as
167 being that currently the schools had a strong relationship with the Parks and Recreation Department
168 and that their recommendation was for that school voice, in regards to the relationship with the
169 Parks and Recreation Department, continue to be important into the future. Mr. Scheidel, in regards
170 to the Town, explained that the schools' voice was directly related to the fact that they owned most
171 of the facilities, which were needed by the Recreation Department to run their programs. Mr.
172 Scheidel stated that the Parks and Recreation Programs needed the schools assets and facilities and
173 felt it was to their mutual advantage to respect each other's needs. He explained that the Town had
174 tried their best, in the past, to run programs elsewhere, but that there was a lack of space. He
175 suggested that a future Recreation Center would change the relationship between the schools and
176 Recreation programming. Mr. Scheidel informed the members that the Prudential Committee and
177 the Town just signed a 25-year lease to manage the Saxon Hill property as a passive recreational
178 facility, which was another connection to the governance. Ms. Myers added that the School District
179 was very happy with the Town Recreation programs and that the School Board did not receive
180 complaints from any of the families they serviced, which was stated clearly by the Chair of the
181 Essex Town School Board. Mr. Mertens asked whether Mr. Berry met with the School Board in
182 developing the brochures and the programs. Mr. Scheidel agreed that Mr. Berry, the Director and
183 an assistant who worked closely with the after school program, had a close working relationship
184 with the schools during the nine months that school was in session. Mr. Mertens asked if there were
185 any further questions. Mr. Safford added that the Village owned the Parks and by ordinance they

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186 transferred that administrative responsibility to the Prudential Committee. He noted that this
187 agreement was not a formal understanding, but that Mr. Tim Jerman was on the Recreation
188 Advisory Committee, which allowed a point of contact with the Trustees through Mr. Jerman. He
189 added that the Task Force may or may not want to use that scenario as a model and suggested that
190 the crucial decision at this point in time was whether the Task Force wanted to include any formal
191 relationship between the schools and the Recreation Department in the Charter.

192

193 Mr. Mertens suggested that the merged library structure, that was an appointed Library Board that
194 worked with the Department Librarian Director, could be similar to the merged recreation structure.
195 Mr. Safford stated that the Library Board was statutory and had a degree of authority that varied
196 from community to community depending on whether the Charter superseded state law. He
197 explained that the Library Board had the full power to manage, depending on the Charters and that
198 some members were elected and some were appointed. He stated that Recreation Advisory
199 Committees were not statutory bodies and were in existence in some communities to advise the
200 Recreation Director, give input on the programming, build public support for Recreation and
201 provide a source of volunteers. Mr. Scheidel stated that in the Town of Essex they purposefully did
202 not have a Recreation Advisory Committee because the Department was separated into different
203 entities, such as the Parks and Recreation staff, the Trails Committee and the Conservation
204 Committee, which addressed the parks and management of open space. In addition, the Parks and
205 Recreation Director was involved with each of the sport's programs that had their own associations.
206 Therefore, he stated that the work was being done without the addition of another Committee and
207 the burdening of another group of people in the community. He noted that there were not a lot of
208 candidates for such Committees and did not think that would change in the new community of the
209 Town of Essex Junction. Mr. Scheidel felt that there would be the help from all the Boards and the
210 Committees working together to transition during the transition process. Mr. Safford agreed with
211 Mr. Scheidel that any Recreation Director that was doing their job would make sure that he/she was
212 maintaining relationships to ensure access to the facilities, which was in the taxpayer's best interest.

213

214 Ms. Billado thanked Mr. Willey for his hard work on this issue. She referred to paragraph four
215 which stated the motion, "in the event of merger of both the schools and the municipalities....."
216 She felt those two actions were separate from each other and questioned whether the Task Force
217 Committee should be making decisions based on whether or not the schools merged. In her opinion,
218 the Task Force, along with the Selectboard and the Trustees would make a decision about the
219 Recreation Department whether or not the schools merged, and Mr. Willey agreed. Ms. Billado
220 added that if the community merged, they could not have a separate Recreation Department in the
221 Village charging a separate tax, and Mr. Willey agreed. Mr. Willey reminded Ms. Billado that the
222 motion involved the Unification Study, and Ms. Billado understood. Mr. Willey stated that the basis
223 of the motion was that the Parks and Recreation should function under the municipal
224 Council/Manager government. He noted that there were many scenarios and variables, but that the
225 motion was a beginning that assumed that the Task Force and the schools would be successful, and
226 Ms. Billado agreed. Mr. Blanchard, based on the discussion thus far, felt there was a model with
227 the Town of Essex Recreation Department system even though he did not know if it would meet the
228 stipulation of "formal governance". In his opinion, regardless of a formal governance relationship,
229 there would be a lot of negotiations of use of facilities with the schools in a merged community. He
230 stated that it would be very difficult to have one entity having a lot of say in what goes on in the
231 Parks and Recreation Department and the other continuing with its present structure. Mr. Willey

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232 stated that the Unification Study Committee had an interest because the Recreation Department in
233 the Village was under the purview of the school, but felt that the decision rested with the Trustees
234 and the Selectboard. Mr. Safford clarified Mr. Willey's remark as suggesting that he supported the
235 merger documents as not contemplating recreation under the schools, and Mr. Willey agreed. Mr.
236 Willey confirmed that the Unification Committee believed the Recreation should be under the
237 purview of the municipal government. He mentioned that he had received several calls from
238 members of the community that wanted to pursue the Park District idea, but that it was just an idea.
239

240 Mr. Boucher understood that the Prudential Committee was in charge of the Recreation Department
241 in the Village, which was different from the Town. He felt the issue should be addressed and that
242 the Parks and Recreation Department could not be under the school district. He was in favor of the
243 schools being involved, good communication between the two entities and the Recreation being
244 under the municipal government. Mr. Blanchard stated that the facilities from the schools were
245 absolutely needed for the Parks and Recreation programs. Mr. Mertens asked if Ms. Myers had
246 something to add. Ms. Myers stated that Mr. Willey had already provided a motion from the
247 Unified Unification Committee, but preferred the second stipulation as being, "It was expected that
248 a relationship will continue in some way with the community's public school system." Mr. Sweeney
249 reminded her that the Task Force did not need to use Mr. Willey's recommendations and stipulations,
250 and Ms. Myers understood. Ms. Billado questioned whether it was the charge of the Task Force to
251 make further stipulations to the motion. Mr. Sweeney agreed and stated that the memo was from the
252 Unification Committee and that there were some facets of the memo that he opposed. Ms. Billado
253 explained that she had assumed that the Task Force would take action similar to the Library
254 structure, which was a unified librarian appointed by the Council form of management, reporting to
255 the Manager. Mr. Sweeney asked for further clarification of the second stipulation to understand
256 their expectations. Mr. Safford clarified that the merged library decision included modifying a state
257 statute, which was different in a merged Recreation Department. He noted that the Task force could
258 be silent in both the Charter and the Transition Provisions, unless it was necessary to make a
259 stipulation. He suggested adding language in the Transition Provisions that clearly demonstrated
260 how the Task Force envisioned the Recreation Departments in a merged community. He added that
261 there was nothing legal to address, at that point, in regards to the Charter. Mr. Sweeney felt they
262 should address the issue, and Mr. Lajza argued that the issue was important to the community. Mr.
263 Safford suggested that the Task Force may want to include a cover letter to the legislative body that
264 included issues not addressed in the Charter, and Mr. Sweeney agreed. Mr. Sweeney and Mr.
265 Safford agreed that the Recreation Department issue and the following details should be addressed
266 because it was of great importance to the community.

267
268 Mr. Willey stated that the verbiage of the motion was presented to and passed by the Unification
269 Study Committee and hoped the Task Force would take that vote into consideration in their final
270 decisions. Mr. Mertens was very comfortable with the third stipulation, which stated, "Synergy and
271 cooperation with schools should be continued and further cultivated." He felt that the second and
272 third stipulations were closely aligned in their meanings and suggested that there was a consensus
273 on the third stipulation based on the discussion thus far and the additional comments from Mr.
274 Scheidel and Mr. Safford. However, he felt that the support for the second stipulation was
275 questionable, but that the Task Force would make that decision, as Mr. Willey had indicated. Mr.
276 Mertens asked if there were any further questions for Mr. Willey before the Task Force entertained
277 a motion and discussion on the issue, and there were none. Mr. Mertens, on behalf of the Task

278 Force, expressed his thanks to Mr. Willey and Mr. Booraem for their hard work in giving them
279 feedback and felt that the Unification Committee shared the same concerns as the Task Force in
280 regards to a unified community. Mr. Sweeney wanted to thank Ms. Wrenner and Mr. Mertens for
281 their volunteer work as well, and members agreed. Mr. Mertens asked whether any member wanted
282 to entertain a motion to this issue.

283

284 **LINDA MYERS MOVED AND RENE BLANCHARD SECONDED A MOTION THAT THE**
285 **PARKS AND RECREATION DEPARTMENTS OF THE VILLAGE OF ESSEX JUNCTION**
286 **AND THE TOWN OF ESSEX OUTSIDE THE VILLAGE OF ESSEX JUNCTION, UNDER**
287 **THE NEW TOWN OF ESSEX JUNCTION, OPERATE UNDER THE MUNICIPAL**
288 **COUNCIL MANAGEMENT FORM OF GOVERNMENT.**

289

290 Mr. Sweeney suggested that the staff draft some language that incorporated the intent of the
291 discussion and the stipulations from the Unification Committee, which would give the Task Force
292 some direction. Ms. Myers responded that the motion was a basic motion, and she did not think
293 that how they reached the outcome was germane to the motion at the time, but rather it belonged in
294 the transition process. Ms. Myers was in favor of a basic decision that was described in the motion,
295 and Mr. Lajza agreed. Mr. Lajza stated that if they wanted to take action in providing specifications
296 to the motion, then it should be in the Transition portion of the document. Mr. Blanchard stated that
297 the motion was the “what” not the “how”, and Ms. Myers agreed. Ms. Wrenner suggested that the
298 Task Force add a clause that stated, “whether or not the schools merged”, and members deliberated
299 and disagreed. Mr. Sweeney asked Ms. Myers to repeat her motion.

300

301 **LINDA MYERS MOVED AND RENE BLANCHARD SECONDED A MOTION THAT THE**
302 **PARKS AND RECREATION DEPARTMENTS OF THE VILLAGE OF ESSEX JUNCTION**
303 **AND THE TOWN OF ESSEX OUTSIDE THE VILLAGE OF ESSEX JUNCTION, UNDER**
304 **THE NEW TOWN OF ESSEX JUNCTION, OPERATE UNDER THE MUNICIPAL**
305 **COUNCIL MANAGEMENT FORM OF GOVERNMENT.**

306

307 Mr. Sweeney wondered if they should mention the appointed Recreation Director in the motion,
308 and Ms. Myers disagreed. She stated that once the Recreation Department became part of the
309 government and under the Town Manager and the Town Council, then the Director would be
310 appointed similarly to the Fire Chief and the Library Director, etc. Mr. Boucher was in favor of
311 leaving the Recreation Director verbiage out of the motion. Mr. Blanchard stated that the motion
312 was the “what” and that the comments from Mr. Sweeney were the “how”, and Mr. Sweeney
313 understood, but stated that he was looking for clarification. Mr. Sweeney, in his opinion, was in
314 favor of numbers one, three, four and five, but did not understand number two. He stated that if the
315 second stipulation was defined more clearly, he might be able to make a better judgment of it. Ms.
316 Myers felt that Mr. Sweeney's comment provided an argument against listing the stipulations in the
317 motion and that the motion was consistent with other motions that the Task Force had made in their
318 deliberations. Ms. Billado suggested the motion include, “with the recommendation of numbers
319 one, three, four and five.” Mr. Sweeney was comfortable with returning to the discussion at a later
320 date and voting on the motion. Mr. Blanchard stated that in his opinion, he was in favor of striking
321 the word “governance” in the second stipulation, and members were in agreement with the feelings
322 towards the word “governance”. Mr. Sweeney stated that he was comfortable with Ms. Myers'
323 motion, which said how it should be organized in a new government, and he believed that as a

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324 separate item, the Task Force could return and make additional recommendations. Mr. Lajza agreed
325 with ensuring the sharing of facilities for the Recreation Department. Mr. Mertens inquired about
326 the relationship between the Trustees and the Prudential Committee and whether that should be
327 included. Ms. Billado stated that the Trustees did not manage the Prudential Committee in any way.
328 Mr. Safford stated that at the present time by ordinance, there were certain regulations that related
329 to the Parks Department that were under the purview of the town government such as “You shall
330 not start a bonfire in the park”, “you shall close at dusk”, etc. and with a local permit request under
331 Act 250, because the town government was the property owner to sign off on the permit. Mr.
332 Mertens clarified with Mr. Safford that the motion was broad enough to address all the necessary
333 issues, and Mr. Safford agreed that Ms. Myers' motion was acceptable as it acknowledged that the
334 Task Force was recommending that the Parks and Recreation Department would be part of the
335 municipal government. He suggested that the Task Force could present a cover letter that discussed
336 some of the details. However, if the Task Force remained silent in the Charter and Transitional
337 Provisions in regards to the details, the Department would follow similar procedures as other
338 departments in the new organizational structure under the new government for the new Town of
339 Essex Junction.

340

341 Mr. Sweeney stated that he was not aware of the agreement between the Prudential Committee and
342 the Town with respect to Saxon Hill, and Mr. Scheidel confirmed it was a lease agreement. Mr.
343 Sweeney asked if that agreement would be affected at all by a merger? Mr. Scheidel stated, no. Mr.
344 Sweeney confirmed that they did not need to address that agreement. Ms. Myers stated that any
345 contract in the Town and the Junction would be merged. Members deliberated that it would be
346 assigned like other contracts. Mr. Sweeney asked about the bond for the swimming pool in Essex
347 Junction and if there were legal ramifications. Ms. Myers pointed out that by the time they merged,
348 the bond from Indian Brook would be eliminated. Mr. Safford stated that, with the advice of legal
349 counsel, there needed to be some type of process where the schools would release the management
350 and the buildings of the Parks and Recreation Department to the municipal government. Mr.
351 Sweeney did not want to get into the details that night, but stated that there needed to be some
352 follow-up and some transition scenario that the Task Force would recommend regarding the bond.
353 Mr. Safford stated that the Village staff had begun some research in regards to this issue, and Mr.
354 Sweeney understood. Mr. Mertens asked whether the Pool Bond issue would be categorized under
355 Action Plan Item or part of the motion. Mr. Scheidel suggested it be added to the list of issues for
356 legal counsel because it was a legal binding contract. Mr. Sweeney confirmed that the contract
357 included the new building and the pool, but that the land was owned by the Village, and members
358 agreed. Mr. Sweeney asked if there were other similar recreation scenarios? Mr. Safford stated that
359 all the land was owned by the Village, in regards to the municipality and that the only other
360 situation would be Tree Farm. Mr. Sweeney noted that Tree Farm was a different matter, and Mr.
361 Safford agreed. He stated that there was Cascade Street Park, Stevens Park, and Maple Street Park
362 in the Village of Essex Junction. Mr. Scheidel and Mr. Safford confirmed that Pearl Street Park was
363 in the Town. Mr. Sweeney reminded them about Myers Park, and Mr. Scheidel stated that the Town
364 of Essex had park lands that they obtained through federal grants so while they had ownership of
365 the parks, they still had stipulations to follow to make sure that it stayed a park, which was also
366 advantageous to the Town. Mr. Blanchard commented that the situation was similar to the hockey
367 rink in Barre.

368

369 Mr. Mertens summarized that there was a global motion that addressed the question of the position

370 of the Task Force in regards of whether or not the Recreation Department should report to the
371 Council Manager. He stated that the motion had a host of transition issues, some related to
372 bonding, some relational and some suggested recommendations from the Unification Committee.
373 He stated that those follow-up items should be issues for a future meeting to discuss and develop.
374 He asked if there was any further discussion and there was none. Mr. Mertens asked Ms. Myers to
375 recap the motion and after she recapped the motion, Mr. Sweeney suggested adding “that the Task
376 Force recommends.” Mr. Lajza agreed it would be consistent, and Mr. Sweeney stated that the
377 motions were translated by the staff to the correct verbiage. Mr. Mertens asked members if they
378 were clear on the motion, and members agreed.

379

380 **LINDA MYERS MOVED AND RENE BLANCHARD SECONDED A MOTION THAT THE**
381 **TASK FORCE RECOMMEND THAT UNDER THE TOWN OF ESSEX JUNCTION, THE**
382 **MERGED PARKS AND RECREATION DEPARTMENT WILL OPERATE UNDER THE**
383 **MUNICIPAL COUNCIL MANAGER.**

384

385 **THE MOTION PASSED 8-0.**

386

387 Mr. Mertens wanted to make a brief announcement and then suggested they return to the discussion
388 in regards to Mr. Al Overton. Mr. Mertens informed the Task Force that Mr. Boucher had had a
389 difficult week as his wife, Cathryn, had been seriously ill in the hospital and told Mr. Boucher that,
390 on behalf of the Task Force, he wished him the very best and wished for Mrs. Boucher to get well
391 soon.

392

393 Mr. Mertens stated that Mr. Overton had been a large positive contributor and had helped the Task
394 Force to reach the point they were today through his good humor and nature and was sad to see him
395 leave. He asked Mr. Scheidel to draft an appropriate resolution for all the Task Force members to
396 sign, which they would send him soon after. Mr. Sweeney stated that if the Task Force wanted to
397 send him any tapes of meetings that Mr. Overton would not object. Mr. Scheidel stated that the
398 Town could certainly let Mr. Overton borrow the tapes. Mr. Blanchard stated that Mr. Overton's
399 legal expertise was helpful in the deliberations and suggested to the Selectboard to consider finding
400 a replacement with legal expertise. Mr. Sweeney stated that he would pass along Mr. Blanchard's
401 recommendation to Mr. James, the Chair of the Selectboard. Mr. Mertens asked if the Task Force
402 could operate with nine members, and members felt they should operate with ten.

403

404 **Discuss the Need/Timing/Agenda of a Public Meeting**

405

406 Mr. Mertens reminded the members about the Agenda Item to be discussed and that they had a
407 Public Meeting at Maple Street early into the Task Force deliberations. He summarized that during
408 that Public meeting, there was discussion about several issues that appeared to be high profile and
409 he felt that there had been excellent participation from the community. His recollection at that time
410 was that the members were in favor of holding another public meeting, as they were further along
411 in their deliberations. He asked members whether or not they ought to hold a public meeting in a
412 month or so. Mr. Mertens stated that in his opinion, having gone through most of the Charter, they
413 could provide a brief summary of the work thus far and update the public. He did not think it was
414 most desirable to finish the process and then inform the public of their decisions. He would prefer
415 to give feedback along the way and invited comments to this issue.

416

417 Ms. Billado asked if the members were considering two more public meetings. Mr. Mertens was
418 unsure. Ms. Billado understood that there would be a final meeting with the community and
419 suggested that they were only a couple of months from ending their work and wanted clarification
420 as to how many public meetings there should be, based on the timing. Mr. Blanchard stated that he
421 enjoyed the last public meeting and had received good feedback, but he was not sure what would be
422 discussed at another meeting. Mr. Mertens stated that it depended on how they presented material.
423 In the case of a Public Meeting, he suggested having four or five major topics, perhaps, library,
424 recreation, fire, etc. and giving the public an update of the decisions thus far. He added that
425 obviously the public would have the opportunity to respond and give input, but was not sure of the
426 timing for the meeting. He asked whether Ms. Billado suggested having a public meeting when
427 their work on the final document was finished and they were ready to present it to the two Boards.
428 Ms. Billado questioned whether they should have a meeting after the final product was presented or
429 in the interim. Mr. Mertens was in favor of an interim meeting as an update for the public because
430 the public had not heard from them in a while.

431

432 Mr. Blanchard asked if anyone had a general idea of when the Task Force meetings would be
433 finished. Mr. Mertens summarized that they had two or three more bullet items in the Charter and a
434 quick review of the Charter, which many decisions had already been made about the Departments
435 and that this information could be reported to the public, along with the details being incorporated
436 into the final product. Mr. Sweeney, in response to Mr. Blanchard, stated that he felt that before
437 they could determine the completion date, the Task Force needed to decide soon what was left to
438 complete. He thought they should review their charge to determine what was left to do. Mr.
439 Sweeney stated that he was particularly interested in hearing the Manager's recommendation on the
440 organizational structure and whether there were any potential savings or changes. Mr. Sweeney felt
441 that the last public meeting was valuable because they had some major items they wanted input on.
442 He stated that if the sole purpose of the Public Meeting was to sell the merger, then he was not sure
443 that was the charge of the Task Force. He felt their charge was to collect the facts, make some
444 decisions, put the structure together for a merged organization and report back to the Trustees and
445 Selectmen, who would deliberate, make changes if necessary and present it to the public in the form
446 of formal public hearings. He was not clear about the purpose of a Public Meeting at the present
447 time or some time in the near future. Mr. Boucher stated that the members should determine what
448 would be the topics for a public meeting and felt that the key topics had already been resolved. Mr.
449 Mertens commented that Ms. Billado's suggestion prompted him to reconsider that there would be a
450 Public Meeting when they presented their final product to the Trustees and the Selectmen as he had
451 originally thought that the Transition Committee would have that public meeting, not the Task
452 Force. Mr. Mertens stated that he was under the impression that the Task Force was still at the
453 formative stage, had made some decisions with some individual feedback, but had not shared that
454 with the public and was in favor of presenting the milestones they had reached. He was also in
455 favor of asking for additional input from the public that the Task Force may not have thought about
456 and that the intent would not be to sell the merger, but to update the public and gain any further
457 ideas, that may be valuable now rather than at the end of the process when the Trustees and the
458 Selectmen would have to address. Therefore, Mr. Mertens, in his opinion, was thinking about the
459 interim process, not what would occur when the final product had been completed.

460

461 Mr. Sweeney thought the Task Force had deliberated the possibility of having Channel 17 air a

MERGER TASK FORCE

February 1, 2006

462 program when the Task Force was nearing completion where they could lay out the decisions they
463 made and then ask for input via telephone calls or letters, etc. to get as wide of a spectrum of input.
464 Ms. Billado asked, as opposed to a public meeting? Mr. Sweeney agreed. Ms. Billado suggested a
465 live Channel 17 program because a taped one may not appear until a week or so later. Members
466 stated that they could do the program live. Mr. Sweeney recalled that the idea of getting
467 information to the public, when their decisions had been made, had been discussed. Mr. Boucher
468 suggested an article in the paper listing the items and then seeking public input. Mr. Mertens felt
469 that based on the last public meeting attendance at Maple Street Park, he believed many would be
470 present to hear the update and suggested a live Channel 17 coverage simultaneously with a Public
471 Meeting. He was in favor of sharing with the public their updated information on the key six
472 issues. Ms. Wrenner suggested using the list of charges, and Mr. Mertens agreed. Mr. Mertens
473 added that maybe a small Task Force of the members could develop the Agenda for the meeting.
474 Mr. Mertens stated that the questions were, is it appropriate and is it timely? Mr. Blanchard felt it
475 was time to get more exposure than they had been getting, especially from the Press, in order to
476 give the public more information of the process that had been happening. Members deliberated the
477 importance of the merger issue for the press. Mr. Lajza felt that the Task Force had been successful
478 in covering a lot of issues, had great negotiations and discussions in the process and had all been
479 civil and positive. Mr. Safford suggested the Chairs meet with the press from the Free Press or the
480 Reporter to give a summary of the recent decisions from the Task Force, to educate and get
481 feedback and noted that the annual meetings were in the near future. Mr. Mertens suggested that the
482 annual meeting was another option. Mr. Odit recommended preparing a report that could be
483 distributed at Town Meeting and elsewhere in the community.

484

485 Mr. Mertens clarified the question as being, did the Task Force owe the public some feedback more
486 pro-actively than in recent times with Channel 17 or public meetings, etc? The other questions
487 were how they would proceed with getting feedback and what they would present to the public. He
488 asked for a consensus on the first question as to whether members felt they needed to present their
489 updates to the public at this point in time before handing their final product to the Trustees and
490 Selectboard and directed his question to Ms. Wrenner whom he had known to be concerned about
491 this particular issue in the past. Ms. Wrenner stated that she was in favor of getting feedback from
492 the public on the decisions being made. She commented that she received input from the public, in
493 regards to the last posters for the Public Meeting, that they appreciated the effort from the Task
494 Force in reaching out to them about the decisions and issues being discussed, even if they could not
495 attend the meeting. She noted that the public was satisfied with keeping the doors wide open. Mr.
496 Mertens asked if any members felt differently or whether there was a consensus. Mr. Lajza liked
497 Mr. Odit's suggestion, and Mr. Mertens reminded him that they were addressing just the first
498 question of whether they should have a Public Meeting. Mr. Mertens confirmed with members that
499 they were in support of presenting an update to the public. Ms. Billado felt that the more they
500 engaged the public, the more successful they would be, because there may be questions and issues
501 that would be raised by the public that they had not thought about, and Mr. Mertens agreed with
502 both education and feedback, which would indicate a Public Meeting as opposed to just interviews.
503 Ms. Billado was in favor of a Public Meeting at Maple Street. Mr. Boucher felt that they could use
504 the Public Meeting as also an educational opportunity along with gathering input in regards to the
505 key topics. He felt strongly that they needed to educate the public as many voters were not
506 informed on these issues. Ms. Myers stated that the ultimate education about the issues was up to
507 the Selectboard and the Trustees, and Mr. Sweeney agreed. Ms. Myers was in favor of Ms.

508 Wrenner's suggestion of using their list of charges, passing those out to the public and having an
509 updated presentation of those decisions, along with input. She was also in favor of further
510 publicizing the Public Meeting and their progress with the Charter through the newspapers,
511 Channel 17 and Vermont Public Radio because from her experience while working at the Essex
512 Reporter, she could guarantee that come the day of the vote, there would be people that would say,
513 "I did not know anything about this." However, Ms. Myers reiterated that ultimately the selling of
514 the merger was the responsibility of the Selectboard and the Trustees.

515

516 Mr. Sweeney recommended using the Town Meeting because there were times when the formal
517 part of the meeting ended and a topic of discussion followed with a time for questions and answers
518 for interested parties. Mr. Blanchard stated that it depended on how long the Town Meeting lasted,
519 and Mr. Sweeney replied that sometimes it lasted a few minutes and sometimes it lasted a few
520 hours. Members confirmed that the date for the Annual Town Meeting was March 6, 2006. Mr.
521 Mertens asked if the Task Force Informational Meeting could proceed the annual Town Meeting
522 with a time limit. Ms. Myers stated that the warning announced that the meeting would begin at
523 7:30 on March 6, 2006. Mr. Sweeney suggested having a merger discussion from 6:30 to 7:30. Mr.
524 Scheidel stated that the normal procedure for the Town Meeting was to host displays and
525 information tables prior to the annual meeting and then the moderator would announce the after-
526 discussion. Mr. Mertens asked Ms. Wrenner if she could fashion a campaign for review by the
527 members for next week, and Ms. Wrenner agreed. Mr. Mertens asked members if they supported
528 the idea of having a Merger Public Meeting after the Annual Town Meeting? Ms. Billado stated
529 that traditionally, there had been a low turn out of voters for the Village Annual Town Meeting, but
530 she thought it could inspire a much greater number of participants. Mr. Mertens confirmed that the
531 Task Force was prepared to hold a Public Forum after the Annual Town Meeting to update and
532 gather input. Ms. Wrenner asked when the Village met and members stated in April. Mr. Safford
533 noted that the Town included all residents. Mr. Mertens stated that if for some reason they needed
534 a second meeting, they could use the Village Annual Town Meeting in April. Mr. Lajza noted that
535 it was limited to the Village. Ms. Myers commented that the members should be prepared for many
536 questions from the public on the Town Meeting issues. Mr. Mertens confirmed with members about
537 their plan, and Mr. Blanchard agreed in educating the public with an update and if necessary would
538 provide more information to the public in the future, and Mr. Lajza agreed because March 6 was
539 only a month away.

540

541 Mr. Sweeney suggested inviting Channel 17 to extend their services on March 6, 2006 after the
542 Town Meeting into the merger discussion. Mr. Lajza pointed out that Channel 17 would be
543 challenged with so many public meetings so the idea would also be one of efficiency for Chanel 17.
544 Mr. Mertens confirmed with Ms. Wrenner that she would work on an outline for a campaign, and
545 she agreed. Mr. Mertens asked Mr. Scheidel and Mr. Safford if they had any concerns about their
546 approach, and Mr. Safford stated, no.

547

548 **Charter Review-Using Updated 1999 Charter- Discuss Redistricting Commission.**

549

550 Mr. Mertens referred to the language developed by Mr. Odit titled Redistricting Provisions and
551 Real Property Provisions. Mr. Blanchard stated that it appeared, the way it was written, that the new
552 Town Council could not redistrict unless they had a petition. He understood that he made the
553 motion for the petition, but he did not intend to take away the power from the Town Council to

554 redistrict if they deemed necessary. He preferred that if the Town Council wanted to change the
555 districts, that they were not dependent upon waiting for a petition. Mr. Lajza suggested replacing
556 “by” with “or”. Ms. Myers stated that the language would not read correctly with that change. She
557 suggested it read, “Commencing with 2013, within five (5) years of the report of the Federal
558 Decennial-Census, the Town Council may appoint a Districting Commission. A Districting
559 Commission may also be appointed upon receipt of petition signed by not less than ten (10) percent
560 of qualified voters of the Town filed with the Town Clerk. Within forty five days of that filing, the
561 Town Council shall appoint a Districting Commission.” Mr. Blanchard agreed that Ms. Myers
562 change would allow the Town Council to also make that request for redistricting. Ms. Myers agreed
563 and confirmed that it meant that redistricting could occur through the Town Council or via a
564 petition of the community that was filed with the Town Clerk within forty five days. Ms. Myers
565 stated that for consistency reasons, “forty five” should be added before (45).
566

567 Mr. Safford asked for clarification about “Commencing with 2013” as to whether it was related to
568 the Decennial-Census or whether it was a one-time event in 2013? Ms. Myers suggested saying “of
569 any Federal Decennial-Census, to open the process up to perpetuity. Mr. Mertens clarified the
570 concern about every five years versus every six years. Mr. Safford pointed out that there was
571 original language in Montpelier that stated that they would not redistrict any more than once every
572 five years. He asked for clarification as to whether the Task Force wanted a redistricting event
573 every five years or whether it would be a singular event in 2013. He stated that Montpelier had
574 language in the Charter section 209 (6) that stated redistricting could not occur more than once
575 every five years so the Town Council would not be redistricting all the time. He supported a
576 mechanism to limit the action of repetitively redistricting. Mr. Sweeney felt that the meaning of
577 five years was due to it being close to the report from the Decennial-Census. At year nine, the
578 report would probably be out of date with another one due in year ten. Mr. Blanchard asked if the
579 Town Council wanted to redistrict before another five-year period was up and a petition surfaced,
580 where did that leave them? Mr. Mertens agreed that was the concern because if one or the other
581 triggered the redistricting, the language did not prohibit that it to once and once only, every five
582 years. Mr. Blanchard was in support of that limitation. Mr. Lajza suggested saying that redistricting
583 should not be visited more frequently than every ten years, and Mr. Mertens agreed with similar
584 language and suggested that Mr. Odit develop language with the members' intent. Mr. Odit asked
585 wether the intent was that redistricting could be considered no more than once every five years
586 following the report or redistricting could only be considered within five years of the report and
587 once during that time period so after five years elapsed, it could not be done at all until the next
588 report was out. Mr. Mertens asked Ms. Myers, as an elected official, for her opinion. Ms. Myers
589 stated that the language was starting to become somewhat convoluted. Mr. Mertens clarified that
590 the original intent was no more than once every five years and suggested getting that thought in the
591 language. Members deliberated about five or ten years. Mr. Safford suggested highlighting the main
592 points, which were the desire for a district commission, the desire for redistricting that would occur
593 no more than once every five years, the desire for the Town Council or via a petition for
594 redistricting to occur and for it to happen in a reasonable time after the Census report was released.
595 Mr. Mertens stated the perhaps it would be no more than ten years as opposed to five years.
596

597 Ms. Myers asked Mr. Blanchard why he made the suggestion of the petition. Mr. Blanchard stated
598 that he had thought about that as well and was also thinking about how it would redistrict if that
599 occurred. Ms. Billado asked whether the redistricting issue was originally driven by Mr. Overton?

600 Mr. Mertens clarified that Mr. Overton did not raise the issue of petition. Ms. Billado confirmed
601 that the petition was the result of the discussion raised by Mr. Overton in regards to a Districting
602 Commission, and Mr. Mertens agreed. Mr. Mertens stated that he was in favor of having a petition
603 avenue for the public. Mr. Lajza informed the members that the public always had the right to bring
604 a petition forward. Mr. Safford stated that the petition would have to be legal to change the Charter,
605 which would be amended to allow districts. If the Task Force remained silent on this issue and the
606 community wanted districts, they could petition to change the Charter and force the Town Council
607 to create a Charter change that would allow redistricting. Mr. Safford pointed out that the Task
608 Force members were creating a new situation in this process and that there was no model to follow.
609 Mr. Blanchard commented that it was his intent to make the Charter as democratic as possible and
610 to give the voters a voice.

611

612 Mr. Sweeney pointed out the language in section 209 (6) that read “such changes shall not be made
613 more frequently than once in a five years.” He commented that they had already made a few good
614 changes in regards to Mr. Odit's language for Redistricting Provisions that the Town Council could
615 appoint or a petition could be requested and suggested deciding on how often it could happen. He
616 was in favor of allowing that process to occur every ten years, and Mr. Lajza and Ms. Billado
617 agreed. Mr. Sweeney suggested and confirmed with Mr. Safford to add that sentence on to the end
618 of the first paragraph of Mr. Odit's language to read, “Such changes shall not be made more
619 frequently than once in ten years.” Mr. Lajza suggested making it (6) A, and Mr. Sweeney stated
620 that he was proposing to add that sentence in section A of Mr. Odit's language. Ms. Myers
621 suggested it be at the end of the first paragraph, and Mr. Sweeney agreed.

622

623 Mr. Mertens asked if this language was going to be a part of the transition plan or inserted in the
624 Charter as section 209 (6). Mr. Sweeney replied that Mr. Overton suggested it be in place of (6) in
625 section 209, which was mentioned last week. Mr. Mertens clarified that the language on
626 Redistricting Provisions was to replace section 209 (6) and asked if they were making further
627 changes to that language. Mr. Sweeney clarified his change of adding a sentence to (a) of the
628 Redistricting Provisions that “Such changes shall not be made more frequently than once in ten
629 years.” Mr. Mertens understood. Mr. Lajza asked Ms. Myers to repeat her amendment to A of Mr.
630 Odit's Redistricting Provisions language. Ms. Myers stated, “A Districting Commission may also be
631 appointed upon receipt of a petition signed by not less than ten (10) percent of qualified voters of
632 the Town filed with the Town Clerk She repeated, “A Districting Commission may also be
633 appointed upon receipt”. Mr. Sweeney confirmed that in the first sentence it would be changed
634 from “the” to “any”, and Ms. Myers agreed and mentioned that the sentence in regards to once
635 every ten years would be added. Ms. Myers envisioned this paragraph as being (6) Designate or
636 Eliminate the Boundaries of Voting Districts A, B, C, D. Mr. Odit understood and clarified that if it
637 was no more than every ten years, he thought they should get rid of “within five years” because it
638 was saying you could only redistrict every five years. Mr. Sweeney looked at that five years as
639 meaning how quickly it was necessary to redistrict following a report whereas the ten years limited
640 it to once every ten years, and Mr. Odit understood. Mr. Mertens stated that redistricting could not
641 be triggered in year six even though it had not been triggered during those five years, and members
642 agreed. Mr. Odit stated that there were two limitations on redistricting in this language.

643

644 In regards to (b) of Mr. Odit's Redistricting Provisions, Ms. Myers wanted the word “seven” to be
645 added before (7). Mr. Mertens confirmed that the suggestion was to make the language (c) and then

646 1,2,3,4, and Mr. Odit stated, yes. Ms. Myers stated, no because, it was to be part of (b) and then to
647 replace (6) under (b) in section 209 and then there would be capital (A),(B),(C),(D). Mr. Lajza
648 confirmed that “Designate or Eliminate the Boundaries of Voting Districts” would become the title.
649 Mr. Sweeney remarked on the amount of money it had cost in all the changes. Ms. Myers stated
650 that if the voters approved of the final document, it would reach the legislature, which would
651 analyze every detail of the Charter before it actually became a bill, and Mr. Sweeney agreed. Mr.
652 Lajza added that the Charter would also go through review from the Selectboard and Trustees and
653 Ms. Myers agreed, but emphasized the involvement at the legislative level was critiquing it word by
654 word. Mr. Mertens asked for a conclusion from the members. Ms. Myers stated that they had not
655 voted yet, and Mr. Sweeney suggested waiting until after the redraft from Mr. Odit and asked if
656 there were any further changes. Mr. Scheidel clarified that whether or not the population shift was
657 an increase or decrease, the rationale would remain the same, and Mr. Mertens stated that by being
658 silent on that issue, the rationale would remain the same regardless which way the population
659 changed. Mr. Odit, in regards to (d), noted that Mr. Overton had originally written the last sentence
660 as “shall be effective at the next Town general election” and that there was a discussion of how the
661 transition would actually happen. Mr. Odit suggested the language read, “shall be effective as
662 provided for in the approved plan of transition” because the Town Council may find that they could
663 not implement the next general election. Mr. Sweeney confirmed that the Task Force agreed to
664 providing a transition plan so he suggested providing language that stated that the new districts
665 shall be effective as provided for by the transition plan, and members confirmed that he and Mr.
666 Odit were in agreement. Mr. Mertens confirmed that “(as of the next Town general election) OR”
667 would be eliminated, and Mr. Odit agreed. Mr. Mertens stated that they would return to that issue
668 next week with the redraft provided by Mr. Odit.

669

670 **Future Agenda Items**

671

672 Mr. Mertens asked for any Agenda Items that members wanted to discuss for the meeting in two
673 weeks because next week had been canceled due to a conflict with the Circumferential Highway
674 meeting, which was at Essex High School at 6:30. Ms. Wrenner stated that she had a Future
675 Agenda Issue that would take a bit of time to explain and wondered if it was an appropriate time,
676 and Mr. Mertens agreed that she should explain it that night. Ms. Wrenner, in regards to an article
677 titled, “City Council Election Methods”, explained that there was a range of options that existed for
678 electing a municipal government, which she had been unaware. She noted an article she had found
679 that mentioned methods that the members had not addressed in the 1999 Charter or the current
680 Charter. She informed the members that there were 19 different methods on electing the City
681 Council. She circulated the introduction and chart to the members. She asked if members could read
682 the information for the next meeting. She quoted the introduction which stated, “The range of
683 options that existed for electing a municipal government is broader than many people realize.
684 Although its significance is under-appreciated, the choice of election method can have a decisive
685 impact on the nature of the government it produces, such as determining how representative the
686 council is, which candidates are elected, which parties control the city council, which voters feel
687 well represented and which don't, etc. This booklet is intended to aid in the evaluation of possible
688 election methods for electing a city council in order to ensure that the election method is chosen by
689 conscious choice, not inertia.” She felt that the Task Force had been working on inertia and not
690 making a conscious choice and felt it was an important idea to review given that modern elections
691 had criteria with which they could be judged. She thought it might be something the Task Force

692 might want to explore. Mr. Lajza asked where Ms. Wrenner obtained this information. She stated
693 that it was from an organization called "Fair Vote". She circulated an additional packet of
694 information from this group to the members. Mr. Mertens stated that he did not think they should
695 get into a discussion at the present time. Ms. Wrenner understood and had only wanted the
696 members to read the information to formulate questions to be discussed at a future meeting. Mr.
697 Lajza inquired about the information, and Ms. Wrenner explained that the chart was from a
698 Committee that studies elections and that the packet of information presented the different
699 procedures of elections, and Mr. Lajza understood. Ms. Wrenner stated that it was extremely
700 helpful information and that there was an expert in Burlington, named Terry Bouricius, who was
701 willing to speak with them at a future meeting for one session free of charge if the Task Force was
702 seriously considering addressing the issue of elections. Mr. Boucher reminded Ms. Wrenner that
703 they were moving towards an at-large community, and Ms. Wrenner understood, but stated that
704 there were important issues of geographic representation, as evidenced by their long-standing
705 discussion of districts. In a nutshell, changing the way we conduct elections could provide fair
706 representation, which, in turn, would resolve the districting and redistricting concerns they had.
707 Mr. Mertens suggested putting the issue on the Agenda at the next opportunity they could and
708 thanked Ms. Wrenner. Mr. Mertens asked if there were any additional future Agenda Items. He
709 suggested they meet two weeks from tonight at 81 Main Street, and Mr. Scheidel reminded them
710 they kept the same rotation when they skipped a meeting, and members disagreed. Mr. Sweeney
711 stated that the last time they skipped a meeting, they kept the rotation, and Mr. Scheidel agreed.
712 Mr. Sweeney recapped the discussion that the next meeting, in two weeks, would include the
713 Redistricting Commission, Mr. Odit's re-draft, the Charter, and Ms. Wrenner's topic. Mr. Mertens
714 informed members about next week's meeting on the Circumferential Public Design Workshop at
715 the Essex High School at 6:30 p.m. on Wednesday, March 8 in the cafeteria.

716

717 **Public Input-General Comments**

718

719 There were no public comments.

720

721 **LINDA MYERS MOVED AND DEB BILLADO SECONDED A MOTION TO ADJOURN**
722 **AT 9:00 P.M.**

723

724 **THE MOTION PASSED 8-0.**

725

726 Respectfully submitted,

727 *Saramichelle Stultz*

728

729 *Saramichelle Stultz*

730 Recording Secretary

731

732

733

734 (THESE MINUTES ARE SUBJECT TO CHANGE AT THE NEXT MERGER TASK FORCE
735 MEETING)

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**MERGER TASK FORCE
ESSEX/ESSEX JUNCTION
MEETING MINUTES
February 15, 2006**

MEMBERS PRESENT: Hugh Sweeney, Hans Mertens, Alan Nye, John Lajza, Deb Billado, Irene Wrenner, Rene Blanchard, Barbara Higgins, George Boucher.

STAFF PRESENT: Pat Scheidel, Town Manager, Charles Safford, Village Manager, Todd Odit, Assistant Town Manager.

OTHERS PRESENT: Vee Gordon, Jean Norton, Amy Bond, Marge Gaskins, Chuck Lloyd, Bob Marcotte, Dave Willey.

Mr. Sweeney explained that he had asked Mr. Safford to obtain legal consultation as to the Brownell Perpetual Board and the process to be followed. He circulated a letter to Mr. Safford from Unsworth, Barra and Jarrett, Attorneys at Law. Ms. Billado confirmed that Mr. Sweeney was referring to the Brownell Perpetual Board, and he agreed. Mr. Sweeney explained that he had wanted information in writing as a reference for the Task Force when it was time to report their decisions to the Selectmen and Trustees and asked members to read it at their leisure. Mr. Sweeney informed the Task Force that just before the meeting, he received a call from Ms. Myers who stated that she could not attend the meeting that night. Mr. Sweeney introduced Ms. Barbara Higgins as a new member to the Task Force Committee, who was appointed by the Selectboard. He asked the members to join him in welcoming Ms. Higgins, and members agreed. Mr. Sweeney asked if there were other announcements before proceeding to the Business Agenda.

BUSINESS AGENDA

Public Input on Agenda Items

Mr. Lloyd expressed his support for the issue that was being presented by Ms. Wrenner that night in regards to election methods. Mr. Lloyd felt it was a very important issue because he did not feel that the number of people voting were represented properly and appreciated Ms. Wrenner's presentation as it offered some different options.

Ms. Gaskins, a member of the League of Women Voters, stated her hope that the members would consider Ms. Wrenner's proposal, particularly if they were going to address voting methods and districting. She felt it was important to support Proportional Representation (PR) so that elections were not a popularity contest that gave the incumbents, who were heavily favored in office for a long time, the advantage. Ms. Gaskins stated that The League of Women Voters supported Proportional Representation as well.

Mr. Mertens asked who Ms. Gaskins was representing. Ms. Gaskins stated that she was present that night as a member of the League of Women Voters as well as a very interested and involved member of the community. Mr. Mertens asked if the League of Women Voters officially endorsed Ms. Wrenner's proposal, and Ms. Gaskins stated, yes, they supported the proposal.

Final

48 Ms. Jean Norton supported the statement by Ms. Gaskins and stated that one of the advantages of
49 PR was that it was an easy and fair way of voting. She worked at the polls and witnessed the
50 turnouts for various elections and felt that Ms. Wrenner's proposal would help to increase the
51 participation in voting from the community as well as more candidates for the open seats. She
52 encouraged the Task Force members to study this proposal to be included as part of the Charter.

53

54 Ms. Vee Gordon, from Essex Junction, was also in favor of changing the voting methods, but for a
55 different reason. Ms. Gordon had been heavily involved with Civics Education in the schools. She
56 informed the Task Force members that there were prize winning classes in Essex Junction High
57 School with students who were now becoming acutely aware of government processes and who
58 were going to be watching the merger process. Ms. Gordon felt that the Task Force could set an
59 example to the students by instituting a fair method of voting into the Charter and providing a
60 demonstration of soliciting more citizens to run for public office at the local level. Mr. Sweeney
61 asked if there were any further public comments and added that there would also be another
62 opportunity for comments at the end of the meeting.

63

64 **Approve Minutes of February 1, 2006**

65

66 **ALAN NYE MOVED AND RENE BLANCHARD SECONDED A MOTION TO APPROVE**
67 **THE MINUTES OF FEBRUARY 1, 2006 WITH THE FOLLOWING CORRECTIONS:**

68

69 **Line 20: Replace “about the decision” with “and informed him he had decided”. Line 50, 61:**
70 **Replace “School Unification Study Committee” with “Unified Union Study Committee”.**
71 **Line 126: Replace “Unification Committee” with “Unified Union Study Committee”. Line 82,**
72 **91, 140, 230, 234, 245, 250, 267, Replace “Unification Study Committee” with “Unified Union**
73 **Study Committee”. Line 276: Replace “Boohaem” with “Booream”. Line 345: Replace**
74 **“advise” with “advice”. Line 386: Replace “Kathryn” with “Cathryn”. Line 442: Replace**
75 **“Selectman” with “Selectmen”. Line 492: Replace “was not” with “appeared”. After “with”**
76 **add “our”. Replace “half way” with “wide”. Line 700-701: Strike and replace with**
77 **“important issues of geographic representation, as evidenced by their long-standing**
78 **discussion of districts. In a nutshell, changing the way we conduct elections could provide fair**
79 **representation, which in turn, would resolve the districting and redistricting concerns they**
80 **had”.**

81

82 **THE MOTION PASSED 8-0-1. (Barbara Higgins abstained)**

83

84 **Discuss Election Methods Proposal - Ms. Wrenner**

85

86 Mr. Nye commented to Mr. Sweeney that he truly appreciated the comments from the public, but
87 felt that his mission, as a member of the Task Force, was to develop a document that was acceptable
88 to the community and to the legislature to reach the goal of a merged community. In Mr. Nye's
89 opinion, he felt that an attempt to include a new voting system into the Charter would complicate,
90 cloud and possibly not provide a clear picture to the voters for the approval process by the
91 community and the legislature. With that point in mind, along with the fact that voting methods
92 was not a charge for the Task Force Committee from the Selectboard and the Trustees, Mr. Nye, in
93 an effort to provide a document that would be broadly accepted by the community and the

94 legislature, did not have any interest in discussing the change of voting techniques at this point in
95 time. He was concerned that this issue would obstruct the progress of the Task Force as well as the
96 approval of the Charter. He stated that as a Selectboard member at the present time who did not
97 campaign and would be up for election, he was concerned that this voting method would have an
98 impact on clouding the issue for the voters for both communities. Mr. Nye was opposed to
99 discussing the issue any further that evening.

100

101 Mr. Sweeney, in response to Mr. Nye's comment, was in favor of providing Ms. Wrenner with the
102 opportunity to respond to Mr. Nye.

103

104 Ms. Wrenner stated that there had been a number of issues discussed by the Task Force related to
105 districting, redistricting and appropriate representation from the Village and the Town into the
106 future, and she felt that the Proportional Representation (PR) method of voting would ensure fair
107 representation would occur as well as solve a number of problems such as low voter turnouts,
108 especially when there was little competition for Selectboard or Trustee seats. She informed the
109 Task Force that in 2005, there was less than 3% of voter turnout for elections in both communities.
110 There is a frequent lack of candidates, half of the recent elections had no opposition at all. She felt
111 that there were severe problems in election methods in their community and argued that just
112 because election methods were not specifically within their charge, it was a topic included in many
113 charters throughout the State and therefore could be under the purview of the Task Force. She felt if
114 the Task Force was going to give due diligence to examining and writing a Charter, they should be
115 looking at election methods for the new community. Ms. Wrenner informed the members that she
116 had visited the legislature that day and asked the question about addressing election methods in a
117 Charter to a joint session of the Government Operations Committees of the Senate and the House.
118 She received an answer from the Dean of the Senate, who said that 99.5% of Charter changes pass
119 easily as long as they had voter approval and that the Charter would certainly not be stopped by
120 including in it a more democratic, more representative form of voting such as in her proposal,
121 which she shared with those committees in the legislature that morning.

122

123 Mr. Blanchard stated that he reviewed Ms. Wrenner's materials and felt she did a wonderful job in
124 researching the issue, but he was concerned with complicating the document for review at the
125 legislature. He stated that having testified for the Trustees in the Village for Charter changes, it
126 was hit or miss about whether the legislature would examine an issue and obstruct the process. He
127 stated that the legislature seemed to focus on issues that pertained to their respective towns at the
128 time, which might be different changes than what was being proposed by a community's Charter
129 under review. Mr. Blanchard was in favor of keeping the process simple for the review at the State
130 level and asked Ms. Wrenner how many other communities in the State had instituted this method
131 of voting other than Burlington that year? Ms. Gaskins, in regards to Proportional Representation,
132 knew that Brattleboro had a representative government for many years. Ms. Gaskins stated that
133 Proportional Representation was a bit different than what was occurring in Burlington at the present
134 election. She had heard that one of the concerns from the Task Force Committee was how difficult
135 it was to get consensus in the community about merger in general and therefore they would prefer
136 not to add this issue to the document. Ms. Gaskins, however, felt that if the members reassured to
137 the public that they would have an equal opportunity to get elected or to elect someone that they
138 would certainly be more interested in, they would perhaps vote in larger numbers.

139

140 Mr. Blanchard wondered what was keeping citizens from running for office at the present time,
141 other than the popularity issue and name recognition. Ms. Gaskins stated that incumbents certainly
142 had an advantage. Mr. Blanchard asked whether an incumbent would be in favor of this method of
143 voting. Ms. Gaskins and Ms. Norton felt the incumbent should be in favor of it because it was fair.
144 Mr. Blanchard did not know many incumbents who would support this method of voting. He stated
145 that he was not opposed to the concept, but did not feel it was the right time to pursue it because the
146 Task force had a deadline, needed the public to understand all the issues before they could approve
147 it and then it needed to go to the legislature for approval. Mr. Sweeney asked if there was any other
148 input on this topic. He added that he had expected that Ms. Wrenner would make a short
149 presentation but that Mr. Nye would like to stop the discussion. He felt the question on the table
150 was whether the Task Force should agree to hear further from Ms. Wrenner or to stop the
151 discussion. Ms. Billado stated that she would like to hear Ms. Wrenner's presentation because she
152 felt it was an exciting topic for the community, but stated that she was not sure it was the time and
153 place in history to manage this new idea. She suggested that different voting methods may be an
154 issue to address at a later date after the community had merged and after many of the details had
155 been addressed in the transition periods, perhaps two to three years from the present time. Ms.
156 Billado stated that she felt the topic was complicated, which was perhaps why Burlington was the
157 only community who had attempted it so far and she could not confirm that they had even voted on
158 it yet. She felt it was a very complicated issue to include in the Charter and agreed with Mr. Nye
159 and Mr. Blanchard that the Task Force needed to keep the Charter as simple as possible, which had
160 been accomplished thus far. At the same time, however, Ms. Billado was in favor of hearing Ms.
161 Wrenner's presentation.

162

163 Mr. Boucher supported Ms. Billado's sentiments on the question. He felt they should listen to Ms.
164 Wrenner's presentation, which had taken much work on her part to research and develop. Mr.
165 Boucher stated that he was not well-versed in this issue, but would still like to hear the information
166 as he was interested in the issue. He stated that in regards to a new method for voting being
167 implemented into the Charter at the present time, he was opposed and felt they should keep the
168 Charter simple in order to assure approval by the public. He added that he felt it would take much
169 effort already to educate the public on all the other issues. Ms. Higgins supported hearing Ms.
170 Wrenner's presentation. She agreed that this issue was a major item that she believed would
171 probably take a good part of a year for the Task Force to reach consensus. She stated that as Ms.
172 Gaskins had said, it had taken the League of Women Voters two years to study and reach consensus
173 as it was not an easy concept for anyone to grasp. She commented that she was somewhat familiar
174 with this issue in the past and got reacquainted with it within the last week. As a result, Ms. Higgins
175 concluded that it would take a good deal of the Task Force's time and might delay the whole
176 process. Mr. Lajza agreed with the comments from the members thus far. He stated that he would
177 like to hear Ms. Wrenner's presentation to further understand the issue. He also agreed that the
178 timing was probably not appropriate and stated, furthermore, that he felt that some of the
179 discussions related to redistricting went farther than their mandate as well. Mr. Lajza was in favor
180 of keeping the Charter simple, presenting in a simple fashion to the voters and to the legislature as
181 quick as possible. However, Mr. Lajza was very interested in Ms. Wrenner's presentation along
182 with the information in the materials she provided on different election methods. He hoped she
183 could help them understand the process further, but did feel the topic, along with other past topics,
184 were beyond the mainstream of their charge. Mr. Mertens added that the idea of different election
185 methods had resonated in him some positive feelings and that the people of Essex would be in favor

186 of it, but he did not understand the concept well enough and was concerned with some of the
187 remarks from Mr. Nye in regards to keeping the Charter simple. He also wanted to provide a
188 successful document and felt that addressing this new topic might be a distraction to that goal. Mr.
189 Mertens felt that Ms. Wrenner was raising interesting ideas and was anxious to get more educated
190 on the issue; however, he was concerned that it might slow down the progress of the Task Force.
191 Mr. Sweeney felt that there was a consensus among members to hear Ms. Wrenner's presentation,
192 but that members would need a lot of convincing to proceed with the discussion afterwards. Mr.
193 Lajza remarked that the reason for his earlier comment was the fact that some of the Task Force
194 decisions could always be changed and the public could always bring a petition forward to address
195 any issue they desired. He felt they needed an understanding of this method of voting and that this
196 was a beginning to that learning curve and encouraged Ms. Wrenner to educate them. Mr. Sweeney
197 stated that he did not know much about this issue as he felt it was very confusing and he would like
198 to know more and hear from Ms. Wrenner.

199
200 Ms. Wrenner referred members to the white hand out that began “What” “New Town Council
201 Election Method”. Ms. Wrenner explained that last winter, she had heard about a new method of
202 voting in Burlington called Instant Run-off Voting(IRV) and she wanted to learn more about that
203 and had forwarded that information to members as a possible discussion for the Charter. Ms.
204 Wrenner explained that when she realized that they would probably not be voting on the Charter
205 until November, she felt there would be time to pursue this issue. She argued that Proportional
206 Representation was new, innovative and belonged in a Charter, according to the Model Charter.
207 Therefore, Ms. Wrenner felt the Task Force should address this topic in the Charter. Ms. Wrenner
208 felt there would be an advantage if PR increased voter turnout and it encouraged more people to run
209 for office. When Ms. Wrenner discovered that PR would address the problems of districting and
210 redistricting, along with eliminating the need for a complicated color coded spread sheet to explain
211 who was being appointed and who was being elected for the first four years, she thought PR would
212 provide a better answer to a more simple process. The process would simply be to show up to vote,
213 encourage your friends to attend as well, and there would be proportionate amounts of the
214 community represented on the new Town Council. She felt the populace in Essex and Essex
215 Junction was intelligent enough to be able to rank the first three of five or ten candidates, which
216 would be the only task for the voters. Ms. Wrenner explained that the complexity of the issue was
217 related to the tallying of the votes, which was completed by the experts, not by the Town or the
218 voter. The voters just had to decide which candidate was first, second and third in their minds,
219 which was the only similarity to the Instant Run-off Voting. In Burlington, the process of IRV
220 allowed for the voters in March to vote for three candidates for Mayor by choosing a first, second
221 and third choice out of the six candidates. However, that would be where the similarity to PR would
222 end because the Town of Essex Junction would be voting for several candidates for the different
223 seats on the Town Council.

224
225 Ms. Wrenner continued her presentation with answering the question why she was in favor of PR.
226 She stated that the current Winner-Take-All Method was archaic and was flawed in many ways.
227 The current system encouraged divisive campaigns that failed to address issues and instead played
228 on fears. She was concerned that they were playing on people's fears and were not recognizing the
229 issue, which was that voting was extremely flawed in this community and she felt it needed to be
230 addressed. She believed that being fearful of whether the legislature would approve was playing on
231 those fears instead of addressing the issue. She stated that the members were charged with

232 developing a Charter that included varying sections, one of which addressed voting methods. Ms.
233 Wrenner felt this topic was well within their purview of deliberating on it for a few weeks. Ms.
234 Wrenner continued by saying that another reason for PR was that there was also limited choice and
235 little chance to influence the outcome for any voter in the current system, which decreased voter
236 turnout. She noted that last year's election had less than 3% of voter turnout and felt the current
237 method of voting encouraged under-voting. She deferred members to reading the information due
238 to limitations of time. Mr. Sweeney asked for a definition of "under-voting". Ms. Wrenner stated
239 that "under-voting" was when voters did not express their full range of preferences and did not use
240 all their voting power. For example, when they voted for six senators in Chittenden County, some
241 people voted for only three because they were afraid of skewing the results and voting for people
242 they did not want in office. She explained that the voters didn't necessarily understand how the
243 process worked or how it was tallied.

244
245 Mr. Mertens wondered if it was still a problem if only three candidates were voted for due to not
246 being interested in all the candidates. Ms. Wrenner said, no, it was not a problem, but that he was
247 not exercising his entire power as a voter. Mr. Blanchard stated that the area he saw that had
248 tremendous under-voting was for the Justices of the Peace because there were fifteen candidates.
249 Many of those candidates had only been in office for two years and were probably still unknown to
250 the voter and half of the names were from the party to fill the ballot, and Ms. Wrenner agreed that
251 Mr. Blanchard provided a good example of under-voting. Ms. Wrenner continued her presentation
252 by stating that another way the current method was flawed was that there was severe under-
253 representation of women and minorities as candidates as well as councilors. She explained that
254 presently, the current Selectboard and Trustees had 20% female representation, which did not
255 mimic the population as she assumed there was at least 50% women in Essex and Essex Junction in
256 the general population. Another flaw was that the current method encouraged apathy and as
257 previously mentioned, 50% of recent elections had as many candidates as open seats. She noted that
258 the interest in local government had waned, which had been a topic of discussion at Task Force
259 meetings more than once. Ms. Wrenner added that there were open seats on Committees such as the
260 Memorial Hall Committee that could not be filled and the reason was that perhaps people did not
261 care, were not connected, or people were not interested. She felt the way to get them connected and
262 interested was to make the races exciting and worthwhile for voters to participate and realize how
263 important it was in their lives and how useful it could be to learn more. She felt by using PR, there
264 would be people filling those empty seats, both at a volunteer-level and an elected-level. She
265 believed that Essex and Essex Junction were lacking that excitement currently and that the only
266 way to change it was to change the voting methods.

267
268 Ms. Higgins, in reference to the most recent comment from Ms. Wrenner with respect to increased
269 participation by the change in voting methods, asked what data supported that argument. Ms.
270 Wrenner stated that it was her assumption that with PR, there would be more candidates for non-
271 electoral positions because there would also be more candidates for electoral positions. She did not
272 have the data at the time, but was sure she could find some, but for the time being, it was an
273 assumption. Ms. Wrenner felt more seats would be filled because there would be more informed
274 voters and turnout and more candidates. She did not think it was a big leap to assume that there
275 would be more non-electoral positions filled. Mr. Nye stated that in his experience, he knew that in
276 regards to the Memorial Hall Committee, there was no money for the program. He explained that
277 there used to be a full Memorial Hall Committee but at the time, the interest had waned because

278 there was nothing occurring at the present time without a budget. He felt those were the kinds of
279 reasons for empty seats rather than there not being excitement in the Town. He gave the Martin
280 Luther King Celebration at the High School as an example of excitement and interest from the
281 community. However, this was not currently true for the Memorial Hall Committee as they were
282 limited to resources or staff to pursue any interesting project. Mr. Nye explained that he had been
283 on the Memorial Hall Committee for three years and knew that volunteers were not motivated to go
284 to meetings if there was no budget or work available to pursue as opposed to Ms. Wrenner's
285 suggestions that people were not involved or excited about the voting in this community. Mr. Nye
286 argued that he did not think it was fair to use Committee's such as the Trails or Memorial Hall
287 Committee as examples due to the fact that they were really stagnant at this time due to lack of
288 resources, but that when the resources were available, the public did become involved.

289

290 Ms. Wrenner stated that she was questioning why in the last few elections there had not been any
291 opposing candidates for the Selectboard or the Trustees. Mr. Nye suggested that everybody was
292 content with the current governmental actions and the activity in the community, and Ms. Wrenner
293 agreed that was possible. However, Ms. Wrenner wanted to show that it was due to the voting
294 method. Mr. Blanchard stated that when a candidate put effort into a campaign as he did, but was
295 not an incumbent, the candidate had to work twice as hard as the incumbent, and he stated that
296 many people just didn't want to put that kind of effort into it.

297

298 Ms. Wrenner continued her presentation and stated that modern methods, like PR, which was the
299 one that the Model Charter had recommended for years, was shown on a hand-out on page 41. She
300 stated that modern methods yielded councilors that produced policies that were more in line with
301 the "will of the majority" because they were more representative of the majority. She believed there
302 would be a higher voter turnout such as in Cambridge MA, where they averaged 33 % for the last
303 three years for City Council elections, which was a lot higher than the Essex/Essex Junction
304 community. She believed that there would be more candidates running for office, along with
305 proportional representation from the Village and Town on new Town Council, which would mean
306 the need for redistricting would be eliminated permanently when they had people voting in
307 proportion to what was represented on the new council. In summary, the new Town council would
308 look like the community it represented. Ms. Wrenner explained that modern methods such as PR
309 would eliminate the need for seven council seats so it could be only five, and it would eliminate the
310 need for the redistricting language that they had agonized over for a couple of weeks. Modern
311 methods, like PR would require communication to and education of voters, similarly to informing
312 the public on the tax increases or decreases. She stated that it would simply mean explaining to the
313 voters that the next time they voted there would be "x" number of candidates for "x" number of
314 seats and the voters would need to rank them one, two and three. Mr. Mertens stated to Ms.
315 Wrenner that he did not associate proportional voting with allowing five versus seven members of
316 the Town Council and he did not see that the Task Force was deciding either seven or five as the
317 right number, and Ms. Wrenner agreed. Ms. Wrenner stated that the color-coded chart provided by
318 Mr. Odit of term appointments into the future for an at-large community, suggested seven council
319 members so that it trickled down properly. Her argument was that with PR, there would not be this
320 need and they could choose to have as many councilors as they liked without some complicated
321 spreadsheet that determined the number. Mr. Mertens stated that seven was not the result in his
322 mind, because five members was also an option in accomplishing the same goal. He and Ms.
323 Wrenner deliberated on the purpose of five members versus seven council members. Ms. Wrenner

324 argued that with PR, the new community could choose all seven members at once and begin with a
325 “clean slate election” when the merger went into effect.

326

327 Ms. Wrenner stated that if they chose to use a PR method of voting and include it in the Charter, the
328 language in Section 202 (c) would be eliminated and they would need to decide on which of the 18
329 criteria were most important to the community. If it was not important to increase voter turnout or
330 to have the council mimic the appearance and the values of the populace then they would not be a
331 value in the judging. She presented a handout that gave the 18 important criteria to judge and the
332 means of voting, which showed that presently in Essex Junction their method had a score of -16 and
333 in Essex Town, they had a score of -10. In Essex Junction, with multiple seats open, their methods
334 scored -7 on the criteria. The scoring had the advantage of going up for example, 20 points, which
335 was one example on the scoring sheet. One member asked for clarification, and Ms. Wrenner
336 stated that she was looking at method number 14, which was proportional representation and it
337 scored at a +20 as opposed to a -16, -10 and -7 and to her that was a huge reason to consider this
338 change.

339

340 Mr. Nye suggested that the spreadsheet was developed by a group that had a different agenda and
341 that anybody could skew the numbers to meet their intent. He suggested that they could not use that
342 spreadsheet as reputable data, as it contained someone else's philosophy. Ms. Wrenner argued that
343 Fair Vote was a non partisan group. Mr. Nye understood, but stated that there were other categories
344 that could be added that would change the results so he felt it was unreliable data. He noted that it
345 was a particular group that was labeling observable and measurable outcomes with a particular
346 agenda and felt that another spreadsheet could be developed with a different agenda that could
347 show different numbers. Ms. Wrenner felt that Fair Vote did not have an agenda because Center for
348 Voting and Democracy was a non-partisan neutral group that was not trying to provide influence
349 one way or the other, which was demonstrated in the fact that they did not total the scores and also
350 recommended the users to not total the scores. She totaled the scores for comparison sake to show
351 where the community could be by using modern election methods. She explained that the members
352 could choose which criteria was valued in the community so that if they decided to eliminate the
353 voter turnout criteria, they could raise their score by one point. Ms. Higgins, although not opposed
354 to any particular method within PR, believed it was a big leap to say that the community would
355 automatically increase their participation. In addition, Ms. Higgins stated that it was hard for her to
356 believe in this day and age that there were not a lot more women participating because they were
357 afraid to come forward. Ms. Higgins explained that she had become involved in 1974, the first
358 woman and all she had to do was walk around a few neighborhoods, which was time, not money.
359 She believed it was very possible as long as the candidate was motivated. Ms. Wrenner argued
360 there were some inherent reasons working against those who wanted to run. Ms. Higgins agreed
361 that there might be inherent reasons preventing some people from running, but she still felt it was a
362 big leap to say it was for those reasons in particular and that it may be the number of items and the
363 topics that were before the community at a given time. As an example, Ms. Higgins stated that, in
364 her case, she happened to choose to run because no one was running against the opponent who had
365 been in office for a long time, there were no women in elected positions and she was opposed to the
366 attempt by another part of the Town to create another municipality. Ms. Higgins felt that there were
367 a number of reasons why people did or didn't choose to participate. However, she was not opposed
368 in general to the concept of PR, even though she felt it was a big leap to say that the community
369 would be comfortable with a 3% voter turnout. Ms. Wrenner argued that by not addressing this

370 issue, they were giving tacit approval to the low turnout, and Mr. Blanchard disagreed. Ms. Higgins
371 felt there were other ways of addressing that particular issue and did not feel PR was the only way
372 to address it. She stated that PR may be a valid and a good way, but it was not the only way, and
373 Ms. Wrenner agreed and stated that was not her intent to make that suggestion. Ms. Wrenner
374 explained that in regards to the criteria, the members could decide which were the most important
375 criteria for the community, calculate the score, which was the reason for the chart, while keeping in
376 mind that it was just a guideline for the user. She stated that the chart showed that it was one
377 method to use should the Task Force want to fix the system that she felt was severely broken.

378

379 Mr. Sweeney confirmed that Ms. Wrenner was finished with her presentation, and Ms. Wrenner
380 agreed to stop at that point. Mr. Lajza summarized his understanding of PR as being that, if the
381 candidates were ranked one to two to three, then the winner would be the one with the lowest
382 number of votes. Ms. Wrenner referred members to the blue handout that explained how choice
383 voting worked. She read, "In a choice system, the voter ranks the candidates in their order of
384 preference. Voters simply rank candidates in order of preference, putting a "1" by their first choice,
385 a "2" by their second choice, and so on. Voters can rank as few or as many candidates as they wish,
386 knowing that a lower choice will never count against the changes of a higher choice." Ms. Wrenner
387 explained that each candidate was only getting one vote, but the vote then moved along the ballot
388 from one, two, and three, depending on which candidate needed your vote. Therefore, if a candidate
389 received 20% of the votes, then any other votes for that person were automatically not counted. If a
390 voter's choice candidate still had not received 20% of the votes, then the second choice vote would
391 be counted for that candidate and so on. Mr. Sweeney remarked that Mr. Lajza seemed confused
392 and explained that the first step was to determine the threshold. Mr. Sweeney explained to Mr.
393 Lajza that in a scenario where Mr. Lajza received 20% of the votes, he would be elected and any
394 further votes for him would not be counted after reaching that threshold. Then the remaining first
395 choice votes for Lajza would proceed to be counted for each voter's second choice candidate.
396 Therefore, he explained that if he happened to be the 21st person to vote for Mr. Lajza as a first
397 choice, the vote would not count towards Mr. Lajza. Instead, they would count Mr. Sweeney's
398 second candidate choice who had not reached 20%, and Ms. Wrenner agreed with his example.
399 Members deliberated on how the threshold was calculated and how it had developed into that
400 formula. Ms. Wrenner explained that the formula was the number of votes over the number of seats
401 plus one so if 1000 people were voting for 5 seats, it would be 1000 divided by six and then add
402 one, which would calculate the number of votes needed to win. Ms. Billado stated that in theory
403 with PR, there was a "trickle down" of voting, and Ms. Wrenner agreed. Ms. Billado suggested that
404 the person with the lowest first choice votes could potentially be the winner but could also have the
405 greatest number of total votes, first, second and third, and Ms. Wrenner disagreed. She explained a
406 different outcome being that 90% of the voters could potentially have a winning candidate they
407 voted for, instead of winner-takes-all with less than half of the voters voting for that candidate. Mr.
408 Sweeney confirmed the formula, and members deliberated the percentages. Mr. Blanchard asked
409 how 20% equated to a number of votes. Ms. Wrenner repeated the formula to determine the
410 threshold, and she stated that any candidate who reached that threshold, with either the first, second
411 or third votes, as needed, elected.

412

413 Mr. Blanchard questioned how it interpreted to over 50% of the vote and suggested PR would not
414 be feasible for the election for Governor of the State of Vermont. Ms. Wrenner stated that the
415 method to elect the Governor could use IRV, and Mr. Sweeney pointed out that Burlington was

416 using IRV for the Mayoral election. Ms. Wrenner confirmed Burlington was using IRV, and
417 members deliberated the concept of IRV. Mr. Blanchard asked what would happen if the result was
418 seven candidates all having less than 30% of the vote? Members were not sure this scenario would
419 exist, and Mr. Blanchard was not sure he understood Ms. Wrenner's explanation. Mr. Lajza, in
420 regards to the election of seven council members by PR, tried to calculate the threshold with Mr.
421 Sweeney and Ms. Wrenner's assistance. Mr. Lajza stated the outcome as being 12 1/5%, and Ms.
422 Wrenner agreed and reminded him to add one, which would bring the threshold to 13 1/2% votes in
423 order to win the election. Mr. Lajza then confirmed that in this scenario, as soon as any candidate
424 had 13 1/2%, he would win, and Ms. Wrenner agreed and added that the candidate would not need
425 any more votes from the pool of votes left to be counted. Mr. Lajza asked if those votes were totally
426 taken off the table, and Ms. Wrenner agreed. She stated that once a candidate won, any votes for
427 that person were not counted but any votes for another candidate that did not reach 13 1/2%
428 were still counted until that candidate became a winner and so on. Ms. Wrenner stated that it
429 seemed complex, but as the votes were tallied, it became a simple process, and Mr. Lajza
430 understood. Mr. Blanchard pointed out that once that candidate received the threshold, other voters
431 who had voted for him first would not get counted. Ms. Wrenner pointed out that their second
432 choice candidate would be counted if that candidate had not reached the threshold. Ms. Wrenner
433 reminded Mr. Blanchard that if he was in favor of all Village candidates, then not only would his
434 first choice potentially win, but his second choice would have the potential of winning as well,
435 which was how fair representation worked. Mr. Blanchard stated that, by using PR, he would not
436 know if his first choice vote would be counted. Ms. Wrenner responded by stating that if his first
437 choice reached the threshold and won without his vote, his vote was not needed for that candidate,
438 but that his second choice vote could be used to give his second choice candidate an opportunity to
439 win. Therefore she reassured him that his votes were not wasted.

440

441 Mr. Nye pointed out a disadvantage of PR. He stated that by not showing the outcome of the vote, it
442 did not express the voice of the voters or highlight the candidate's agenda. He argued that a voter
443 might want a candidate to get 60% of the vote, so that the candidate knew that the public supported
444 him on his agenda. Ms. Wrenner responded by saying that there were many open seats so smaller
445 percentages were likely. Mr. Mertens asked whether it was a true statement to say that you could
446 not give a particular candidate a mandate, and Ms. Wrenner replied, not that she knew of, but that
447 perhaps it was in the criteria. One member stated that as soon as a candidate reached the threshold,
448 he was a winner, and Ms. Wrenner agreed. Mr. Mertens suggested providing a calculation that
449 determined the total number of first votes a candidate received, which could be a large percentage
450 of votes. Ms. Wrenner did not know if that tally was a possibility. Mr. Lajza confirmed that as soon
451 as the candidate reached the threshold, the first choice votes of the same candidate from other
452 voters would not be counted, but that their second choice votes would be counted and Ms. Wrenner
453 agreed. Mr. Nye asked how it would change the outcome with a 13 1/2% threshold if two candidates
454 received 62% of the votes. Ms. Wrenner stated that the outcome would not change for those first
455 two candidates, but it would for the other candidates. Mr. Nye stated that he might choose to vote
456 for only two people, and Ms. Wrenner stated that was okay. Mr. Blanchard suggested a scenario
457 where no one candidate received a majority of votes resulting in a coalition and suggested it would
458 be even more difficult to run for office. He pointed out that in the current system, the third party,
459 however small, was very effective in stopping rather than bringing about consensus. Ms. Wrenner
460 replied that Mr. Blanchard described one good reason for the change of methods presently in
461 Burlington, which would help to determine which parties were most supported. Ms. Higgins stated

462 that IRV kept out the third party, which she did not think was particularly helpful. Ms. Wrenner
463 argued that PR, like IRV, would help voters to vote their true feelings, eliminating the spoiler
464 problem.

465

466 Mr. Mertens asked if the votes were “time-stamped” when they were tallied, and Ms. Wrenner
467 stated that she believed it was random. Mr. Boucher asked if PR allowed write-in votes, and Ms.
468 Wrenner replied, yes. Ms. Billado asked for clarification on the question, and Mr. Boucher
469 repeated his question about allowing write-ins on the ballot. Mr. Boucher stated that he did not
470 understand how the PR method would be any better than their current election method. Ms.
471 Wrenner replied to him by stating that there were better outcomes. Mr. Blanchard explained that PR
472 would allow a group of people who did not agree with the two party system to gain political
473 ground. Mr. Boucher understood, but did not think there were two parties in the Village and the
474 Town local governments, and that voters were voting simply for a representative. Mr. Blanchard
475 used a scenario of candidate A having a group of supporters with an agenda and candidate B having
476 a group of supporters with an agenda, both controlling the local agenda for years. Then, candidate C
477 entered the arena with a group of supporters and an agenda, along with resources and efforts and
478 under a PR system, candidate C had a better chance of winning than under the current system, and
479 Mr. Lajza agreed. Ms. Billado questioned the validity of that argument if it was really a matter of
480 votes being cast for individuals. She asked whether the Progressive Party, which she assumed was
481 being referred to by Mr. Blanchard, truly integrated into the political arena in a faster way through
482 this PR. Ms. Wrenner confirmed that PR gave a voice to those that would otherwise not have a
483 voice and quoted a saying on the website, “The right to rule belongs to the majority, but the right to
484 representation belongs to all”. Her point, she stated, was that in Cambridge MA, the Town Council
485 always had one African American member because that person represented the 14% African
486 American population in that city, giving representation to that group of people because of the way
487 people voted, which would not happen in the winner-take-all method. She commented that that
488 members seemed to be under the impression that there would be a faction voting for Town
489 representatives and a faction voting for Village representatives and the Task Force developed the
490 current districting scheme to give equal representation for the first few years. Proportional
491 Representation would guarantee all factions current factions and future groups their representation
492 indefinitely.

493

494 Mr. Mertens left the meeting at 8:00 p.m.

495

496 Ms. Billado asked whether the term limits that they added into the Charter helped to address the
497 issues raised by Ms. Wrenner, such as ending some of the terms, which would encourage new
498 candidates? Ms. Wrenner stated that the term limits might be difficult to get approved through the
499 legislature from what she had been told. Ms. Billado thought Ms. Wrenner had heard from
500 legislative representatives that if there was voter approval of the Charter, the legislature would
501 approve it as well. Ms. Wrenner stated that term limits was the one issue that raised red flags for a
502 few people she knew. Ms. Billado suggested she was referring to special interest groups, because
503 she was under the impression that with voter approval, the Charter would also pass in the
504 legislature. Ms. Wrenner agreed the passage of term limits by the Government Operation
505 Committees would be a reasonable expectation after what she had learned that morning.

506

507 Mr. Scheidel asked Ms. Wrenner why a Representative Town Meeting would not accomplish a

508 similar goal. Ms. Wrenner said she could not speak to that model. Mr. Safford stated that it was a
509 different method than PR, in that PR was electing candidates while Representative Town Meeting
510 would be the legislature at the meeting adopting ordinances and budgets and not necessarily
511 candidates, unless they were elected on the floor. However, he was not sure of that process. Mr.
512 Scheidel explained that he had worked in a community that had a Representative Town Meeting
513 that was elected from eight districts and candidates ran in the same ways as Town Councilors. He
514 stated that there was not a Town Meeting that the candidates were elected and were in charge of the
515 budget for the Town. Ms. Higgins stated that Mr. Scheidel described the Brattleboro model, which
516 had been used in Brattleboro for a long time. Mr. Scheidel suggested PR would work best in a
517 community like Cambridge and asked whether Cambridge had districts with two to three parties, or
518 whether it was completely at-large? Ms. Wrenner thought it was an at-large community. Mr.
519 Blanchard remarked that he thought Cambridge had to be one of the most politically active
520 communities in the country with MIT, Harvard, etc., along with the most diverse populace being
521 from all over the world. Ms. Wrenner agreed, but added that Cambridge had large groups of
522 students who did not vote.

523

524 Mr. Scheidel asked if the ballot under a PR method would have lots of names. Ms. Wrenner agreed
525 that it would be a busier ballot and that she hoped there would be more people running for office as
526 that was the goal. Ms. Billado supported more candidates on the ballot, but stated that the
527 discussion thus far proved that election methods was a huge issue and thought it belonged in the
528 future perhaps after they were merged. Ms. Wrenner asked which incumbents Ms. Billado thought
529 would be in support of PR because she could see others sharing the same sentiment as Mr. Nye. Ms.
530 Billado, as an incumbent, stated that she would support PR. Ms. Billado stated that she wanted to
531 see more of the public engaged in the process in general and more candidates for the seats in the
532 Town of Essex and the Village of Essex Junction. Mr. Blanchard noted that if the incumbents did
533 not support it, then PR could be petitioned. Mr. Nye agreed and added that it could be a question for
534 vote on the ballot and supported that process. Ms. Wrenner argued that the present time was a
535 golden opportunity to include PR in the Charter while the Task Force was in the process of creating
536 a Charter change. Mr. Boucher did not support the Task Force including PR in the Charter, but felt
537 that the people in the community at a future date could petition it, put it on the ballot and vote on it,
538 but was opposed to the members including it presently in the Charter. Ms. Wrenner asked, why not
539 in the Charter? One member stated that it would be in the Charter eventually, but would have to be
540 requested by the public at large. Ms. Wrenner felt the it seemed very inefficient since the Task
541 Force was in the process of changing the Charter. She argued that she did not care to educate 25%
542 of the population to sign a petition. Instead, she felt that they currently had the best minds who were
543 working on the Charter who could tackle the work to include this topic into the Charter. Mr. Nye
544 stated that 25% of the public was not needed to get it on the ballot. Ms. Wrenner argued that she
545 would have to inform a lot of people to get enough signatures. Mr. Sweeney stated it was 5% and
546 Ms. Wrenner felt it would still be difficult as she had witnessed that night. Mr. Blanchard
547 commented that this idea was something very new, particularly to most Vermonters, and Ms.
548 Wrenner understood. Mr. Blanchard felt it would take a very good salesperson to win the support of
549 the public. Mr. Lajza commented on how enthusiastic Ms. Wrenner had been about this issue and
550 that she had peaked his interest in this issue. However, he agreed, along with the other members,
551 that PR was an issue that needed some time to understand and to discuss further. Mr. Lajza had
552 thought that perhaps they should jettison this issue, keep it simple and let the voters petition if
553 interested after the community was merged. He stated that he would like time to think about this

554 topic as it was very interesting to him.

555

556 Mr. Sweeney asked if there were any further comments or if any member wanted to take action on
557 this topic? Mr. Boucher supported that the issue be brought forward by the community as a vote. He
558 felt that if a candidate put the effort towards campaigning that he would win. Ms. Wrenner agreed
559 that “he” would but questioned if “she” or “they” would? Mr. Lajza reminded Ms. Wrenner that
560 Ms. Higgins had commented that women had just as much of a chance to win as men in this
561 community. Mr. Scheidel suggested that Sally Fox, who went door to door, would say that was how
562 she stayed in office. Mr. Sweeney pointed out that, in the Town, both representatives were female,
563 whom he knew personally and that they had both worked very hard to get elected. Ms. Wrenner
564 emphasized that she was talking about fixing the problem. Members deliberated on this issue. Ms.
565 Higgins agreed with Ms. Wrenner in that there could be someone or another group, by using the PR
566 mechanism, which would more likely have a successful outcome than they would under the certain
567 other methods. She questioned the issue of minorities. She stated that Vermont, and perhaps Iowa,
568 was unique in that they have a very small minority population. Identifying what is a minority and
569 what is a substantial minority group in the Town of Essex and the Village of Essex Junction would
570 be difficult. She suggested that it may be the new Asian population that was beginning to enter
571 Chittenden County, but felt that those numbers were still quite small. Ms. Higgins stated that
572 perhaps with such a method as PR, it might be more likely to see minorities involved in local
573 politics.

574

575 Ms. Wrenner stated that candidates might campaign door to door in the Village, but that it was
576 harder to accomplish in the Town under the current voting method, possibly resulting in a
577 geographic minority in the Town, which would not be Proportional Representation for the Town,
578 and Ms. Higgins agreed. Mr. Nye stated that candidates should be elected on the basis of what they
579 believed in, not whether they went door to door, which was the point of the issue for him. As an
580 elected official, Mr. Nye stated that he had made stances on many issues and all of the decisions he
581 had been making were in the best interest of the community. He would like to be elected on where
582 he has stood on issues and the decisions he had made over the past 15 years and did not want to be
583 elected because he put signs on people's lawns or they knew his name or he visited their home. Mr.
584 Nye argued that when the majority of the public vote weren't allowed to state their position with
585 respect to who they want to vote for and how they want their vote to count, then they were not
586 allowed to show where their feelings were, because under PR, those votes were taken away and
587 given to someone else, which he felt was wrong. Ms. Wrenner questioned Mr. Nye's value of the
588 score versus best representation and having a Council that mimics the interest of the community.
589 Mr. Nye stated that if the majority of the community support his candidacy, then it was a message
590 that they liked the decisions he was making. Ms. Wrenner suggested that winning was not enough
591 for Mr. Nye but that he needed to know the score as well. Mr. Nye stated, no, he wanted the
592 community to express that they appreciated and understood the decisions he had been making over
593 a period of time. With the PR system, Mr. Nye understood that, with the threshold he may win the
594 election, but it did not provide him with the knowledge of where the community stood in terms of
595 supporting his issues, which he was more interested in knowing. Ms. Wrenner repeated: As an
596 incumbent, should I be more concerned with getting 80% from 2% of the population, under winner-
597 take-all, or winning seat from 33% of the population, under Proportional Representation? Ms.
598 Wrenner and Mr. Nye argued the percentage threshold and its meaning and whether Mr. Terry
599 Bouricious, from Election Solutions in Burlington, was aware of the issues in Essex. Mr. Sweeney

600 asked for comments to be directed to him, as the Chair.

601

602 Mr. Blanchard asked Mr. Nye whether he was suggesting that the first time Mr. Nye ran for office
603 that he did not campaign before he was elected to any office. Mr. Nye stated that he went to two
604 neighborhoods in the Village of Essex Junction, but then was called to State active duty and could
605 not campaign any further. Mr. Blanchard asked if he would have campaigned further if possible.
606 Mr. Nye did not know, as it was a process that he did not see worthwhile when there were only
607 about two people out of 100 that engaged him in a practical discussion at the time. Mr. Blanchard
608 agreed, but told him that he did not know if, two days later, the neighbors engaged in conversation
609 amongst themselves. Mr. Nye argued that most of the constituents at that time did not want to hear
610 his position on issues and gave an example of the current lack of interest occurring the other night
611 on Channel 17 when both parties had a phone-in question-time, and there were no calls. Ms.
612 Wrenner felt that was the problem, that there were two percent of the voters who would talk at the
613 front door and three percent who showed up to vote. She stated that the lack of interest and
614 participation was the problem and then they cared more about the score than increasing voter
615 turnout by 10 to 15 fold as elected officials then they cared more about the score than increasing
616 voter turnout by 10 or 15%. She suggested that if members wanted to see their democracy flourish,
617 they would change the election method now, with the Charter change, for greater voter turnout,
618 greater encouragement for increased candidates and greater encouragement for the Town Council to
619 reflect the people it represented. Mr. Blanchard stated to Mr. Sweeney that he felt that the next time
620 all the members were present, they should vote on whether they wanted to pursue this issue. Mr.
621 Sweeney stated that he asked if anyone wanted to take action that night and he heard no action at
622 this point in time so they were open to revisiting the issue. Ms. Billado stated that she would like to
623 table this issue until they had all members present. Mr. Sweeney reminded the members that
624 tabling an issue meant to bring it up later in the meeting. Ms. Billado remarked that they had tabled
625 another issue in the past for another meeting, and Mr. Sweeney explained that it had been incorrect.
626 Mr. Sweeney stated that he did not think it was necessary to take any action to revisit this issue, and
627 members agreed that it could be put on a Future Agenda.

628

629 Ms. Higgins asked Ms. Wrenner if there would be any other method she would consider other than
630 the recommendation for #14 choice at large? Ms. Wrenner stated that she was told that #10 or #12
631 would also work for the community. Ms. Higgins was more interested in what Ms. Wrenner was
632 particularly supporting. Ms. Wrenner believed that PR was the one method that she supported
633 because it solved the voter turnout, brought in more candidates and made people more informed
634 because they were motivated. She stated that the PR method was the highest scoring one it would
635 give the geographic representation that they wanted and solved everything and more than she had
636 dreamed that an election method could do. Mr. Sweeney and members thanked Ms. Wrenner for
637 her presentation.

638

639 **Discuss the Need/Timing/Agenda of a Public Meeting**

640

641 Mr. Sweeney referred to the handout on a Public Meeting from Ms. Wrenner. Ms. Wrenner pointed
642 out the handout titled, *Public Meeting After Town Meeting, March 6, 2006*. She stated that she
643 gave it her best guess and was looking for input from the members. She summarized that she felt
644 the purpose of the meeting after the Town Meeting was to distribute some information to the public
645 and to answer some questions from the public, as well as to gain feedback. She asked Mr. Scheidel

646 if it was possible to publicize it with a mailing for the Town Meeting or whether that was not a
647 choice, and Mr. Scheidel stated that it was not a choice to add anything to the Town Report. Ms.
648 Wrenner also questioned whether an announcement of the meeting could be put on the Town
649 Meeting Agenda as it was officially after the Town Meeting. Mr. Lajza asked Mr. Scheidel about
650 how they advertised the meeting that occurred after the Town Meeting last year? Mr. Safford asked
651 if it was warned or occurred during other business. Mr. Scheidel stated that normally at Town
652 Meeting, there would be a display of tables with information or pamphlets being passed out about
653 issues and gave some examples. He stated that the meeting after the Town Meeting was decided by
654 the Selectboard as to an issue that would be relevant to the Town Meeting. He only recalled one
655 meeting that occurred after Town Meeting in the past, that had related to purchasing conservation
656 land. It was determined that two years ago there was a second informational meeting after the
657 Town Meeting about the Village attempting to become a City of Essex Junction. Mr. Safford
658 suggested closing the Town Meeting and introducing the Public Hearing afterwards. Mr. Sweeney
659 reminded members that at the last meeting, they had discussed a range of ideas and had not decided
660 on any particular one idea. Mr. Safford stated that one option was if they chose to use the Town
661 Meeting Forum, the informational meeting could be announced during the Other Business, the
662 Town Meeting could then be closed and then they could open the informational presentation on the
663 status of the merger process. Ms. Higgins was in favor of the information meeting not occurring
664 after the Town Meeting because the length of the Town Meeting was unknown. She stated that if
665 the Task Force wanted participation and adequate time for participation, there really needed to be a
666 specific time announced to the public. She was concerned that the Town Meeting might last a long
667 time, resulting in the public being fatigued and the topic not being addressed to its full potential by
668 their constituents. Ms. Higgins stated that if the decision was made that the Task Force should have
669 an informational meeting, she would be in support of having one not tied to Town Meeting. Ms.
670 Billado supported Ms. Higgins' opinion because she felt they would lose the attention of the public
671 after a Town Meeting as parents needed to get home to children, and there would be too much
672 information in one night.

673

674 Mr. Nye asked for clarification as to the purpose of the informational meeting and what the issues
675 would be that would be discussed in regards to the Charter. He reminded the members that there
676 was a charge to the Selectboard and the Trustees to have open public hearings with the constituents
677 during their deliberations. He was in favor of the meeting if there were issues to get public input,
678 but otherwise, he was in support of finishing the document and then moving forward with respect to
679 the next step of the process. Mr. Sweeney mentioned that the member driving the idea for this
680 meeting was Mr. Mertens who had to leave early that night. Mr. Boucher stated that he thought Mr.
681 Merten's intent was to get the sense from the community as to the latest decisions by the Task Force
682 and to give the public an update. Mr. Sweeney confirmed that Mr. Mertens wanted feedback as to
683 the work the Task Force had completed and if that was the purpose, they had not finished their
684 work and he would be more in favor of getting feedback on a final product. Mr. Boucher reminded
685 Mr. Sweeney that Mr. Mertens wanted to get feedback at this time in the merger process, and Mr.
686 Sweeney understood. However, Mr. Sweeney felt more comfortable with finishing the product first.
687 He stated that the last public hearing was helpful, but that the Task Force was not in the same
688 position as the last public hearing with specific issues for feedback. Mr. Sweeney summarized that
689 a public meeting would be to gain feedback on what they had deliberated and whether there were
690 issues that they had not thought of, and Mr. Boucher agreed. Mr. Nye suggested that if they did not
691 tie it to Town Meeting, they could conduct more work on the product and publicize a date in the

692 near future for the meeting and provide a summary of decisions, and Mr. Sweeney agreed. Mr.
693 Boucher reminded the members that Mr. Mertens was not present and would like to be part of the
694 decision. Mr. Lajza thought that Mr. Mertens would be supportive of Mr. Nye's and Mr. Sweeney's
695 idea, but was in favor of putting the topic on the Future Agenda to determine what was left to
696 discuss in regards to the Charter, along with a decision with respect to what would be an update for
697 the public and when. Mr. Sweeney pointed out that if they were going to use the Town Meeting as a
698 forum, they needed to make that decision sooner than later, but that it sounded like the sentiment
699 from the members that night was not to hold an information meeting at the Town Meeting and
700 asked for confirmation. Mr. Blanchard asked if there was some issue for the Town Meeting that
701 would prolong the length of that meeting. Mr. Sweeney stated that there were some meetings that
702 lasted moments and others that lasted hours. Members agreed that it was difficult to judge, and Mr.
703 Blanchard agreed. Mr. Sweeney, due to the fact that Mr. Mertens was not available to discuss it at
704 that point in time, recommended that they postpone discussion until the next meeting. Ms. Billado
705 stated that he would not be at the next two meetings, and Mr. Odit thought Mr. Mertens would not
706 be present at the February 22nd and March 1st meetings. Mr. Sweeney suggested putting off the
707 discussion until Mr. Mertens returned.

708

709 **Charter Review-Redistricting Commission**

710

711 Mr. Sweeney referred members to page 8 section 210. DESIGNATE OR ELIMINATE THE
712 BOUNDARIES OF VOTING DISTRICTS, which was new language developed by Mr. Odit based
713 on discussions from the members with Mr. Overton. Mr. Blanchard felt this language was too long
714 and verbose and was in favor of simplifying it, especially for the voters and for Montpelier. He
715 proposed more language that would include two methods that were related to districts. A Districting
716 Commission could be developed and a request to change the districts after approval from a vote and
717 second would be a petition. He questioned section 210 (a). Mr. Safford clarified that the public
718 could always petition to amend the Charter if they wanted to move to a particular election method
719 or move to districting at any time, currently with 5% of signatures. He noted that section 210
720 included many hypotheses in the Charter to protect the option that existed in State law for the
721 public to legally petition and stated that one option was to be silent on the issue. Members
722 deliberated section 210 (a). Mr. Nye stated that if they were silent, then it did not allow the new
723 Town Council to redistrict on their own. With all due respect to Mr. Overton, Mr. Nye was in favor
724 of having only one paragraph in 210 and deleting the other three paragraphs. He was in favor of
725 Section 210 reading, "The Town Council may appoint a Districting Commission. The Town
726 Council shall appoint a Districting Commission upon receipt of a petition signed by not less than
727 ten (10) percent of qualified voters of the Town and filed with the Town Clerk. Within forty-five
728 (45) days of that filing, the Town council shall appoint a Districting Commission." Mr. Blanchard
729 felt that was close to his sentiment of ensuring that even if the Town Council did not get a petition
730 that the Town Council had the right to redistrict even without a petition. Mr. Nye stated that
731 without a petition, the Town Council could not create a Districting Commission, but if they saw a
732 need, they should have the ability and it should be stated in the Charter. Mr. Blanchard asked for
733 clarification as to Mr. Nye's point because the petition was already in the Charter and he was not in
734 favor of deleting that language. He asked if Mr. Nye was asking for other language that gave the
735 Town Council the right to create a Districting Commission by majority of the Board. Mr. Nye and
736 Mr. Blanchard were in agreement that those were the two steps needed and it could be stated more
737 simply than what was proposed, and Mr. Boucher agreed. Mr. Nye argued that in 10-15 years the

738 process could be much different and he did not feel they should tell the new Town Council how to
739 complete the goal, but rather to provide for the process to occur, and Mr. Blanchard agreed. Mr.
740 Sweeney was confused because he had always felt they had simple language prior to the suggestion
741 of Mr. Overton and wondered if they should keep that original language. Mr. Lajza confirmed that
742 it was the language in the original 1999 Charter. Mr. Sweeney stated, no and reminded Mr. Lajza
743 that early on in the process, the Task Force inserted a paragraph that they took from the Montpelier
744 Charter. Mr. Safford quoted the language, “Designate or eliminate the boundaries of voting
745 districts: The Town Council may make changes from time to time in the number of boundaries of
746 the districts as it may deem proper having in regard so far as practicable and convenient to an equal
747 division of population among them. Such changes shall not be made more frequently than once in
748 five years. Such districts shall be described by ordinance. Such changes shall be approved by the
749 legal voters of the Town at the annual or special meeting of the Town and shall become effective
750 immediately upon approval.” Mr. Blanchard added, or by petition, and Mr. Sweeney reminded him
751 that by remaining silent, the petition was always an option by state statute. He stated that Mr.
752 Overton wanted to have a body independent of a Town Council, and Mr. Nye and Mr. Blanchard
753 agreed with Mr. Overton's idea. Mr. Sweeney stated that Mr. Overton's idea spawned many
754 discussions and was frustrated that the current discussion was leading back to their original decision
755 read by Mr. Safford. Mr. Nye felt that they could refine paragraph (a) and delete the other
756 paragraphs and pointed out that the language that Mr. Safford read did not include the ability to
757 create a Districting Commission, which would take action, and Mr. Sweeney understood.

758
759 Mr. Safford suggested including an option that the Town Council could charge to a Districting
760 Commission to create a plan that would be approved by the Town council and then by the voters.
761 Mr. Nye agreed, but added that with his proposed language it took away the potential accusation of
762 gerrymandering. Mr. Sweeney understood, but asked why Mr. Nye wanted to delete the language of
763 (b), (c), and (d)? Mr. Nye replied that it was too detailed. Mr. Sweeney argued that it defined the
764 process that should be followed. Mr. Nye did not think it was necessary in the Charter, and Mr.
765 Sweeney did not want to deliberate further about this in the future, and Mr. Nye understood. Mr.
766 Nye felt that Mr. Blanchard's remark made a lot of sense that night and wished he had spoken four
767 weeks ago. Mr. Sweeney stated that they had spent a lot of time on the language and suggested
768 editing it as opposed to deleting it. Mr. Blanchard suggested that the members take some time to
769 think about it and discuss it and then vote on it next week. It was determined that Mr. Blanchard
770 return next week with some language to propose to Mr. Odit, and Mr. Blanchard agreed. Ms.
771 Higgins stated that either way, the Task Force needed to decide whether they wanted a Redistricting
772 Commission because it stated “may” and not “shall”. Members clarified that it stated “may” in the
773 first sentence and “shall” in the following sentence, which was intentional, and Ms. Higgins
774 understood.

775

Discuss Future Agenda Items

777

778 Mr. Safford stated that Ms. Kay Helfrich contacted him and expressed interest in attending the next
779 Task Force meeting if possible. Ms. Helfrich was the Director of the Senior Center located at
780 Lincoln Hall, and she wanted the opportunity to make comments based on past discussions about
781 that space and possible relocation of the Teen Center and Senior Center. Mr. Sweeney and Ms.
782 Billado agreed with meeting with her. Mr. Nye suggested inviting both CHIPS and the Senior
783 Center to gather input from them on the process. Mr. Safford stated that, since they deferred the

784 issue of the physical plant to the Transition Committee, he wondered if it was necessary to have the
785 discussion with CHIPS and the Senior Center. Mr. Sweeney stated that the Chairs did attend a
786 CHIPS meeting and discussed the progress of the Task Force. Mr. Nye stated that if they were
787 inviting the Senior Center, they should also invite CHIPS. Mr. Safford suggested inviting them and
788 letting them know they were welcome to state their concerns, but that the physical plant issues
789 would be addressed by the Transition Committee. Mr. Sweeney confirmed that there would be a
790 potential Senior Center/ CHIPS discussion. Mr. Sweeney noted that Mr. Mertens would not be
791 present at the next meeting. He stated that if Mr. Mertens was present next week, then he would
792 include the Public Hearing discussion, otherwise, it would be delayed until his return. Mr.
793 Sweeney added that they would also discuss Mr. Blanchard's proposed language for the
794 Redistricting Commission and then they could pursue the continuation of the Charter.

795

796 Ms. Wrenner suggested adding language that the Town Council or the Petition may institute
797 Proportional Voting in the future so they did not necessarily need a petition, which was similar to
798 the redistricting process that if the Town Council decided that they wanted to do this, they could
799 institute it. Mr. Sweeney suggested she create a proposal for potential action to be taken next week,
800 and Ms. Wrenner agreed. Mr. Nye asked Ms. Wrenner if she could use the language "alternative
801 voting" rather than "proportional voting", and Ms. Wrenner agreed.

802

803 **Public Input-General Comments**

804

805 **Chuck Lloyd**

806

807 Mr. Lloyd wanted to emphasize his support for Ms. Wrenner's proposal, as he stated in the
808 beginning of the meeting because he felt it had the potential for making many improvements in the
809 system without the type of complexities that could occur. He explained that as he sifted through all
810 the information about modern methods, it occurred to him that if they had a 3% turnout, did it mean
811 that 97% was in favor of what was happening in the Town? He did not believe so and he suspected
812 that many felt that in many instances on the local, state and federal levels, their vote would not
813 count, even though he did try to be involved. He was dismayed with what was happening at the
814 federal level and pointed out that better than half of the citizens didn't agree with what the
815 government was doing, but this sentiment did not show with the current system. However, with the
816 methodology that was being proposed by Ms. Wrenner implemented correctly, it could serve to pull
817 together a lot of the loose ends that had been discussed without a lot of complex language. He
818 suggested that with modern methods, you did not have to be physically on the same street as a
819 candidate to vote for that candidate, which would instead offer the probability of better
820 representative government, which had been lost at all the levels of government. He was in support
821 of Ms. Wrenner's idea and appreciated her hard work in this arena.

822

823 **Ms. Jean Norton**

824

825 Ms. Norton supported all the comments made by Mr. Lloyd.

826

827 **Mr. Bob Marcotte**

828

829 Mr. Marcotte was in favor of keeping the Charter simple. He believed that if the Task force

MERGER TASK FORCE

February 15, 2006

830 complicated the Charter, the public would vote it down. He did not think it was the time to include
831 new innovative voting techniques, which was not their charge. He suggested not wasting time on
832 this issue and moving forward with the Charter. He expressed his frustration with the progress
833 recently and wanted them to get the work done.

834

835 Mr. Sweeney asked if there were other members from the public who would like to speak and there
836 were none.

837

838 **ALAN NYE MOVED AND DEB BILLADO SECONDED THE MOTION THAT THE TASK**
839 **FORCE ADJOURN AT 8:50 P.M.**

840

841 Mr. Marcotte expressed concern for the action taken to remove Mr. Overton from the Task Force.
842 Mr. Sweeney did not understand why Mr. Marcotte was bringing his concern to their Committee as
843 it was not in their jurisdiction, and Mr. Marcotte understood it was not an issue for the Task Force
844 Committee.

845

846 **THE MOTION PASSED 8-0.**

847

848

849 **Respectfully submitted,**

850 *Saramichelle Stultz*

851

852 *Saramichelle Stultz*

853 Recording Secretary

854

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856

857 (THESE MINUTES ARE SUBJECT TO CHANGE AT THE NEXT MERGER TASK FORCE
858 MEETING)

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**MERGER TASK FORCE
ESSEX/ESSEX JUNCTION
MEETING MINUTES
February 22, 2006**

MEMBERS PRESENT: Hugh Sweeney, Linda Myers, John Lajza, Deb Billado, Irene Wrenner, Rene Blanchard, Barbara Higgins, George Boucher.

STAFF PRESENT: Charles Safford, Village Manager, Pat Scheidel, Town Manager, Todd Odit, Assistant Town Manager.

OTHERS PRESENT: Bridget Meyer, Molly O'Donnell, Brad Luck, Essex CHIPS, Dana Cornaahia, Gabby Velasquez, Kay Helfrich, Essex Senior Center, Chuck Lloyd.

BUSINESS AGENDA

Public Input on Agenda Items

There were no public inputs.

Approve Minutes of February 15, 2006

DEB BILLADO MOVED AND GEORGE BOUCHER SECONDED A MOTION TO APPROVE THE MINUTES OF FEBRUARY 15, 2006 WITH THE FOLLOWING CORRECTIONS:

**Line 14: Replace “Kent Booream” with “Dave Willey”. Line 40: Replace “and” with “that”.
Line 55: Replace “being” with “been”. Line 60: After “level” add “.”. Line 102: Replace
“make her presentation” with “respond to Mr. Nye”. Line 109: After “communities” add “.”.
Line 110: Replace “along with a lack” with “There is a frequent lack”. Replace “which had
not opponents” with “half of recent elections had no opposition at all.” Line 135: After
“therefore,” add “they”. Line 175: Replace “their” with “the”. Line 176: Strike
“unnecessarily beyond the mandate that they had ahead of them.”, After “process” add “.”.
Line 209: Replace “it” with “if”. Line 213: Replace “more an” with “better”. Line 214:
Replace “you” with “your”, after “be” strike “a”, replace “enough” with “amounts”. Line
215: Replace “populous” with “populace”. Line 220: Replace “was” with “allowed”. Line 221:
Replace “and” with “by”, Replace “choose” with “choosing”. Line 223: Replace “same” with
“different”. Line 239: Replace “Sweeney” with “Wrenner”. Line 321: Strike “up to nine”.
Line 326: Strike “She added that with a PR method of voting, the scheme could be changed
for having people elected instead of the current scheme, with all the positions being up for
elections at the same time.” Line 333: Replace “populous” with “populace”. Line 335: Replace
“they” with “their method”. Line 336: Replace “they” with “their method”. Line 336:
Replace “,there were multiple seats open and a score of -7” “with multiple seats open, their
methods scored -7”. Line 345: After “group” add “that was labeling observable and
measurable outcomes.”. Line 359: Replace “women” with “woman”. Line 378: Strike “just
a”. Line 379: Replace “new Council” with “Task Force”. Line 390: Replace “one, two, and”**

48 with “one to two to”. Line 392: Replace “the second” with “a voter's”. Line 393: Replace
 49 “could be used” with “would be counted”. Line 396: Replace “The the votes would proceed to
 50 be counted for the next candidate.” with “Then the remaining first choice votes for Lajza
 51 would proceed to be counted for each voter's second choice candidate.” Line 412: Replace
 52 “vote would be” with “votes, as needed,”. Line 415: Replace “they” with “the method to elect
 53 the Governor”. Line 445: Replace “available.” with “so smaller percentages were likely”.
 54 Line “PR” with “IRV”. Line 463: After “PR” add “, like IRV,”. Line 464: Replace “feelings,”
 55 with “feelings, be eliminating the spoiler problem.”. Line 485: Replace “represented 14% of
 56 African Americans” with “represented the 14% African American population”. Line 486:
 57 Replace “did” with “would”. Line 487: Replace “current voting” with “winner-take-all”,
 58 Strike “She commented, in regards to the districting scheme developed by the” and strike
 59 Lines 488-490. Replace with “She commented that members seemed to be under the
 60 impression that there would be a faction voting for Town representatives and a faction voting
 61 for Village representatives and the Task Force developed the current districting scheme to
 62 give equal representation for the first few years. Proportional Representation would
 63 guarantee all factions current factions and future groups, their representation indefinitely.”
 64 Line 497: Replace “would” with “might”. Line 500: Replace “the certain people in
 65 Montpelier.” with “a few people she knew”. Line 503: After legislature.” “Ms. Wrenner
 66 agreed the passage of term limits by the Government Operation Committees would be a
 67 reasonable expectation after what she had learned that morning.”. Line 511: Replace “was”
 68 with “ways”. Line 513: After “that” with “what”, After “described” add “was”. Line 518:
 69 Replace “populous” with “populace”. Line 519: “argued” with “agreed, but added”, after
 70 “had” add “large groups of”. Line 565: Replace “identifying what was a minority and what
 71 was a substantial minority group in the Town of Essex and the Village of Essex Junction?”
 72 with “that they have very small minority populations. Identifying what is a minority and what
 73 is a substantial minority group in the Town of Essex and the Village of Essex Junction would
 74 be difficult. Line 573: Replace after “Town,” add “under the current voting method”. Line
 75 591: Replace “Fair Vote” with “Election Solutions”. Line 591: After “knowing.” add Ms.
 76 Wrenner repeated: As an incumbent, should I be more concerned with getting 80% from 2%
 77 of the population, under winner-take-all, or winning a seat from 33% of the population,
 78 under Proportional Representation?” Line 607: Strike “if they cared more about themselves”,
 79 replace “then they cared more about the score than increasing voter turnout by 10 or 15%.”
 80 with “appeared to care more about their personal score than increasing voter turnout by 10
 81 to 15 fold.”. Line 623: After “for” add “#”. After “that” add “#”, after “or” add “#”. Line
 82 627: Replace “more high scoring one because” with “highest scoring one.”. Line 628: Replace
 83 “it would give the minority representation geographically” with “It would give the geographic
 84 representation”. Line 629: Strike “and Ms. Higgins thanked Ms. Wrenner.” After “do” add
 85 “.”. Line 771: Replace “Aldrich” with “Helfrich”. Line 772: Replace “Aldrich” with
 86 “Helfrich”. Line 832: Replace “SELECTBOARD” with “TASK FORCE”.

87

88 **THE MOTION PASSED 7-0-1. (Linda Myers abstained)**

89

90 **Discussion With Representatives From Essex Junction Senior Center and CHIPS**

91

92 **Ms. Helfrich-Senior Center**

93

94 Ms. Helfrich, from the Senior Center, commented that she had not seen or heard anything about the
95 Senior Center in the Task Force deliberations. She was present that night to give a short
96 presentation about the Senior Center for the Task Force to consider in their decision-making
97 process. She reported that the Senior Center was operated by volunteers, had by-laws and officers
98 and had been located in Lincoln Hall for over twenty years under the umbrella of the Essex
99 Junction administration. She explained that they did not pay any rent and were self-governed. Ms.
100 Helfrich stated that the Senior Center used all the municipal services that they needed, such as
101 changing light bulbs or putting salt on their sidewalks in the winter and were appreciative of those
102 services, because unfortunately, they were elderly and were limited in what they could do. The
103 Senior Center operated at various times around the clock, is open for all holidays and often had
104 events going during the weekends. The Senior Center was opened in 1985 by Essex Senior Citizens
105 Incorporated as a place for social activities outside the usual Wednesday lunch. Ms. Helfrich
106 requested that the Senior Center continue to be aligned with municipal services whether it is in the
107 Lincoln Hall or another Town Center location as they greatly depended on those services. Ms.
108 Helfrich explained that, at the present time, the Senior Center did not have a Program Chair, so that
109 the Town Recreation Department assisted them with transportation and activities, such as going to
110 Airport Park and the Chocolate Factory. As a result, she added that the Senior Center was closely
111 aligned with both the Town and the Village services and stated that she would like that to continue.
112 She noted that the Senior Center also had volunteers working for them to organize the van
113 registration.

114
115 Ms. Helfrich offered information about the benefits in having a Senior Center. She explained that
116 the Senior Center members join together in comradeship, shared friendship, played bridge and other
117 games, occasionally exercised and had daily afternoon tea. The Senior Center was open on
118 Memorial Day to greet the parade participants and organized Christmas baskets to be delivered to
119 frail elderly in the greater Essex area. She stated that the Senior Center members gave donations to
120 area charities as part of the Christmas Outreach Program and they had an annual New Year's Day
121 Party open to all area seniors, which, she added, had been a great success. She pointed out that the
122 Senior Center was open to all seniors whether or not they lived in Essex and that many members
123 came from towns such as Jericho, Colchester, Williston and South Burlington and everyone
124 enjoyed each other's company. Ms. Helfrich requested that the Task Force remember, during their
125 deliberations and decision-making process, that the Senior Center was an integral part of the
126 community. Additionally, she remarked that the Senior Center members liked their current situation
127 that gave them independence in the managing of the Center and would like that to remain the same
128 in the case of a merged community. Ms. Helfrich concluded her statement by circulating some
129 brochures, published by the Village Office, which offered a summary of information on the Senior
130 Center. There were no questions from the Task Force, and members thanked her for her
131 presentation.

132

133 **CHIPS-Brad Luck**

134

135 Mr. Luck introduced himself as the Director for the CHIPS program. Mr. Luck appreciated the
136 Senior Center as neighbors in the Village Offices. Mr. Sweeney asked if CHIPS participated in any
137 joint activities with the Senior Center. Mr. Luck stated that CHIPS often benefits from extra food,
138 but that the stairs were not handicap accessible and were steep. Mr. Sweeney noted that the teens
139 could go down the stairs, and Mr. Luck agreed. Mr. Luck commented that he did not know how

140 often the Senior Center would want joint activities to occur.

141

142 Mr. Luck reported that CHIPS began in 1986, almost the same time as the Senior Center, as a local
143 group of people coming together with the same interest over time and in 1988, they developed a
144 more formal coalition, including staff and funding. He stated that CHIPS had grown exponentially
145 over the past several years. Mr. Luck reported that the Teen Center began in 1996, had been
146 located at Lincoln Hall and had been supported by the Village Trustees financially as well as
147 providing a location. He explained that the Selectboard had supported CHIPS in other ways, such
148 as through the Community Services Grant Competition and through a one-time \$10,000 donation.
149 Mr. Luck stated that CHIPS worked very closely with both governing bodies and that like the
150 Senior Center, CHIPS was also aligned with municipal services. At the same time, however, he
151 explained that they were still an independent 501 (C)(3) non-profit organization, which was
152 supported by the local government. Mr. Luck noted that CHIPS did not have any line item on a
153 local government budget at that point, but that the local governments had been supporting them in
154 other ways that helped them avoid counting on that money through grants. He preferred to have
155 dedicated funding sources as opposed to competing for grants and appreciated the tremendous
156 support from the local governments, which if lost, would make it very difficult for them to continue
157 into the future. Mr. Luck stated that CHIPS was an organization that was 85% grant-funded, with
158 3-5 year grants, and they were always finding new sources of funding including the local support
159 from the public.

160

161 Mr. Luck stated that with the possibility of a future merger, CHIPS would also like a location that
162 was close to Five Corners because it provided parking, was accessible and was not too close to
163 neighbors as the organization held early Breakfast Clubs, dances and was used by other groups for
164 birthday parties, AA groups, etc. He explained that CHIPS had become like a Community Center,
165 with its space being used by many different community groups and that they had received many
166 calls for the use of their space. Mr. Luck hoped that the Task Force would be cognizant of CHIPS'
167 needs and provide a formal recommendation in their proposal that the Transition Team analyze the
168 effects on the possible displacement of the Senior Center, CHIPS and the Teen Center and how they
169 could alleviate those concerns and continue to support those groups by providing space.

170

171 Mr. Blanchard asked whether the decision to allow other groups to use the CHIPS space was
172 determined by CHIPS or by the Trustees? Mr. Luck stated that the staff at CHIPS was in charge of
173 space use agreements and requests were filled out through a form. CHIPS did not have a charge for
174 the use of the space, and it was available for public use. However, CHIPS staff required that they
175 meet those requesting to use the space and ensured that the request would be an appropriate use of
176 the space. CHIPS staff usually provided keys in those situations or staff was on site at the times the
177 space was being used to assist them. Mr. Blanchard asked about the hours of operation for CHIPS.
178 Mr. Luck stated that the primary times that the space was open for CHIPS programs was from 3:00
179 p.m. to 9:00 p.m. However, he explained that in the mornings, other groups utilized the space. Mr.
180 Blanchard confirmed that the other groups utilizing the CHIPS space did not have to be from the
181 Village or the Town. Mr. Luck informed him that most of the groups were from the Village and the
182 Town. Mr. Blanchard agreed that the location at Five Corners was ideal for CHIPS.

183

184 Mr. Boucher stated that he was fortunate to be a member of the Village Trustees in both 1985 and
185 1996, when CHIPS and the Teen Center requested support. He felt that the people of the

186 community would ensure that the Senior Center and CHIPS would continue to be supported in a
187 similar manner as today. In his opinion, Mr. Boucher felt that Lincoln Hall should be used primarily
188 for administration purposes in a merged community, but stated that there was a lot of property
189 available in both the Town and Village, such as the old Discovery Museum and Park Street School.
190 He felt that different space availability should be determined by the Town and included in a Plan.
191 Mr. Luck thanked the members for their support and stated that he hoped that the governing bodies
192 would be making those considerations, whether it be the proposed renovations of Lincoln Hall or
193 the Fire Department. Ms. Myers reassured Mr. Luck that there was absolutely no way that the
194 Boards would not consider what would be the best for both CHIPS and the Senior Center when the
195 final decisions were made. She felt that both CHIPS and the Senior Center had shown the public
196 that they were vital parts of the community and she could not imagine any Transition Committee or
197 new Town Council that would not make serious considerations as to how they would help service
198 the teens and the seniors in the community. In conclusion, Mr. Luck circulated a new handout that
199 indicated how the CHIPS program was making a difference and provided the numbers of people in
200 the community who had been served by CHIPS.

201

202 **Charter Review-Discuss Redistricting Commission**

203

204 Mr. Sweeney referred the discussion to Mr. Blanchard, who had new language to propose in
205 regards to the Redistricting Commission in section 210. Mr. Blanchard was advised by Mr. Odit to
206 collaborate with Mr. Safford on developing the language. Mr. Safford referred members to page 8,
207 section 210. Mr. Blanchard stated that he included two intents in his proposal for section 210 (a).
208 He quoted first that “ The Town Council may on its own motion appoint a Districting Commission
209 to prepare a districting plan.” and second, “The Town Council shall appoint a Districting
210 Commission upon receipt of a petition signed by not less than ten (10) percent of the qualified
211 voters of the Town and filed with the Town Clerk. Within forty-five days of the filing, the town
212 council shall appoint a Districting Commission. Any plan shall be subject to approval by the voters
213 at an annual or special meeting.” Mr. Blanchard stated that he would like this language to replace
214 (a). Mr. Safford asked Mr. Blanchard whether he wanted his proposal to replace just (a) or the
215 entirety of section 210. Mr. Blanchard stated that if the Task Force was in favor of using just his
216 proposal, then he would support that action. Ms. Myers clarified that his proposal would replace the
217 entire section 210. Mr. Lajza was in favor of leaving section 210 as it was titled and recommended
218 the first sentence of Mr. Blanchard's proposal as (a) and the rest of the proposal as (b). Ms. Myers
219 suggested the last sentence of Mr. Blanchard's proposal be (c). Mr. Safford stated that the last
220 sentence, “Any plan shall be subject to approval by the voters at an annual or special meeting”,
221 should align with both (a) and (b), as it would be true for both methodologies. He read, (a) “ The
222 Town Council may on its own motion appoint a Districting Commission to prepare a districting
223 plan. Any plan shall be subject to approval by the voters at an annual or special meeting.” (b) “The
224 Town Council shall appoint a Districting Commission upon receipt of a petition signed by not less
225 than ten (10) percent of the qualified voters of the Town and filed with the Town Clerk. Within
226 forty-five days of the filing, the town council shall appoint a Districting Commission. Any plan
227 shall be subject to approval by the voters at an annual or special meeting.”

228

229 Ms. Myers questioned whether they should also use “may” in the second sentence, but confirmed
230 that “shall” in the second sentence intended that the Town Council absolutely would take action,
231 and members agreed. Mr. Sweeney stated that it was written correctly in both sentences because in

232 the first sentence, the Town Council's choice would be optional whereas with a petition, it would
233 not be optional. In response, Ms. Myers recommended that the second sentence be rephrased to
234 read, " Upon receipt of a petition signed by not less than 10% qualified voters of the Town and filed
235 with the Town Clerk, the Town Council shall appoint a Districting Commission. Within 45 days of
236 the filing....." She stated that the language suggested that the Town Council would take action in
237 two ways, but that essentially, it would take action with either one method or the other, and Mr.
238 Safford agreed. Ms. Myers additionally recommended adding a numeral "(45)" after the word forty-
239 five to be consistent throughout the document.

240

241 Ms. Higgins commented that she had made an effort to read the minutes from the past and that, in
242 regard to the Town Council's ability to appoint or not, she was confused about the intent of the
243 language in section 210. She wondered if the intent was that there would always be an appointment
244 of the Districting Commission or whether it was the option of the new Town Council to make that
245 decision on their own, with the exception of when it was required or petitioned. Mr. Sweeney
246 replied that the intent was for it to be the Town Council's option. Ms. Higgins explained that the
247 way the proposed language read was that the new Town Council could choose not to appoint a
248 Districting Commission and that the Town Council, itself, could propose that there be districts. Mr.
249 Safford suggested that Mr. Overton felt there needed to be a Districting Commission to avoid the
250 suggestion of gerrymandering, even though it would be subject to a public vote. Mr. Sweeney asked
251 Ms. Higgins for clarification. Ms. Higgins explained that if she read the language correctly, the
252 Town Council could be the Districting Commission, which would be against the intent. Mr.
253 Sweeney asked where in the language it said that the Town Council could be the Districting
254 Commission? Ms. Higgins stated that it was silent on a question of whether or not the Town
255 Council had to appoint a Districting Commission in order to create districts. Although she was
256 uncertain, Ms. Higgins thought that unless there was another superseding law, the body itself could
257 become the Districting Commission. Mr. Scheidel felt that Ms. Higgins was correct. Mr. Sweeney
258 clarified Ms. Higgins remarks as being that there was a third option. Ms. Higgins explained that the
259 current language does not require a separate Districting Commission unless there is a petition. In
260 the former case, the Town Council itself, in the process of determining the need for districts, could
261 suggest their own plan. She clarified with the members that she was not expressing opinion over
262 whether she agreed or disagreed with the language, but rather that the way she read the language,
263 she felt that third option was on the table, even with the proposed changes from Mr. Blanchard. Ms.
264 Higgins mainly said that this way is due to the word "may" in the first sentence.

265

266 Mr. Safford stated that the "may" in the first sentence meant that it was not mandatory for the Town
267 Council to wait for a petition to decide to create a Districting Commission to develop a districting
268 plan for the voters to consider. Ms. Billado clarified that Ms. Higgins was pointing out that the
269 Town Council could appoint themselves as the Districting Commission, and Mr. Safford
270 understood, but clarified that the "may" in the first sentence said that "the Town Council may on its
271 own motion form a Districting Commission" and begin that process. He suggested adding a
272 sentence that said, "the Districting Commission shall not be the Town Council". However, he
273 pointed out that the Town Council may want some of its members on that Districting Commission,
274 similar to the Task Force Committee. Mr. Safford suggested that the members could specify
275 whether they wanted some of the members or none of the members a part of the Districting
276 Commission. Mr. Blanchard was uncertain how to include that intent. Mr. Safford recommended,
277 "The Districting Commission shall not include members of the Town Council." Ms. Billado

278 suggested placing it after the word “districting” and adding “(absent of Town Council members)”.
279 Ms. Higgins asked if that was the intent of the Task Force. Ms. Billado explained that Mr. Overton
280 implied it. Mr. Boucher clarified with Ms. Billado that Mr. Overton did not want any Town Council
281 members on the Districting Commission, and Ms. Billado thought that was Mr. Overton's intent.
282 Mr. Sweeney agreed that it was clearly Mr. Overton's intent not to have any members from the
283 Town Council be on the Districting Commission.

284

285 Mr. Safford suggested that the first sentence read, “The Town Council may on its own appoint a
286 Districting Commission, which shall not consist of members of the Town Council, to prepare a
287 districting plan” and Ms. Billado agreed. Ms. Myers asked Mr. Safford to repeat the sentence,
288 which he did. Ms. Billado asked whether Mr. Blanchard's proposal would omit the first sentence of
289 the original language in section 210 (a) which began, “Commencing of 2013”, and members
290 agreed. Mr. Sweeney asked why members wanted to eliminate sections (b), (c) and (d) of section
291 210, which described the process to be followed by the Districting Commission and the Town
292 Council as he felt it added clarity to that process. Mr. Blanchard was in favor of providing the new
293 members of the Council some flexibility. Mr. Sweeney agreed with Mr. Blanchard's substitute for
294 (a) and stated that (b), (c) and (d) were not related to (a), but were related to the process that the
295 Districting Commission and the Town Council would follow. Ms. Billado pointed out redundancy
296 in the language, and Mr. Safford agreed. He stated that “Any plan shall be subject to approval by
297 the voters at an annual or special meeting.” was already in (b) so that it would not to be included in
298 (a). Mr. Sweeney and Mr. Safford agreed that (b), (c), and (d) added more direction as to the
299 process that should be followed, and Mr. Blanchard felt it would be acceptable to keep those
300 paragraphs. Ms. Billado was in favor of eliminating the sentence in (d), “The plan approved by the
301 Town Council shall be submitted for approval by the legal voters at a regular or special meeting.”
302 Mr. Boucher confirmed with Mr. Sweeney that he was in favor of keeping (b), (c) and (d), and Ms.
303 Billado added, minus the second sentence in (d). Ms. Myers clarified that the second sentence in
304 (d) would be omitted, and Ms. Billado agreed. Ms. Higgins was also in favor of leaving in the
305 process described in (b), (c) and (d), and Mr. Boucher was in agreement as well. Mr. Safford
306 recommended (a) as, “The Town Council may on its own motion appoint a Districting Commission,
307 which would not consist of Town Council members, to prepare a districting plan. Upon receipt of a
308 petition signed by not less than 10% of the qualified voters of the Town and filed with the Town
309 Clerk, within forty-five days of the filing, the Town Council shall appoint a Districting
310 Commission.” Mr. Lajza was still in favor of his own previous suggestion, which was to divide the
311 paragraph into (a) and (b) because he felt it clarified the two procedures. He suggested a (c), which
312 would include the language about the Districting Commission being not comprised of the Town
313 Council members. Mr. Lajza was concerned that section 210 was becoming too complex and
314 would be an obstacle at the legislature. Ms. Myers suggested the following language:
315 (a) The Town Council may on its own motion appoint a Districting Commission to prepare a
316 districting plan. (b) Upon receipt of a petition signed by not less than 10% of the qualified voters of
317 the Town and filed with the Town Clerk, the Town Council, within forty-five (45) days of the
318 filing, shall appoint a Districting Commission. Any plan shall be subject to approval by the voters
319 at an annual or special meeting.” Then Ms. Myers explained that (b) in the Charter, would be
320 changed to (c) and (c) would be changed to (d), which would read, “The Districting Commission,
321 which shall not consist of Town Council members, shall prepare a description, map and plan.....”
322 Mr. Safford suggested omitting the last sentence in (b) because it was already in (d). Ms. Myers
323 asked for clarification. Mr. Sweeney stated that the last sentence in (b) was not needed because it

324 was already in (d), and Ms. Myers understood. Ms. Myers confirmed that the language that
325 described that the Districting Commission not being comprised of any Town Council members was
326 not included in the two methods, but rather in the process after the decision to redistrict and create a
327 Districting Commission was made, and members agreed.

328

329 Ms. Higgins confirmed that she had understood from a few meetings ago that the reason the Task
330 Force was commencing the ability to redistrict 2013 was because the members did not want the
331 new Town Council redistricting the community before then and asked whether she was correct in
332 her understanding. Mr. Sweeney felt that the reason for 2013 was that 2013 was several years after
333 the census. Mr. Scheidel explained that the census occurred in 2010 and two years after, the report
334 was published, and Mr. Sweeney continued by explaining that it was the intent to align their date
335 with the report from the census. Ms. Higgins confirmed that the concern, or intent, was no longer
336 valid. Mr. Lajza explained that there were a number of mixed seats that included at-large and that
337 by waiting until 2013, the community would have an opportunity to see the results of an at-large
338 community and determine the need for districts. Ms. Higgins understood Mr. Lajza's remarks as the
339 larger issue, with the intent being to allow the new government time to collaborate and become an
340 efficient working body. Ms. Myers stated that the way the voting was established, the merged
341 community did not reach one district until 2012. Mr. Lajza stated that the idea was to transition the
342 two communities into one district slowly in order to get more public support for the vote in
343 November.

344

345 Ms. Myers clarified that the Task Force was eliminating (a) that was in the Charter presently and
346 using Mr. Blanchard's proposal for (a) which read, "The Town Council may on its own motion
347 appoint a Districting Commission to prepare a districting plan. Then it would continue with (b)
348 "Upon receipt of a petition signed by not less than 10% of the qualified voters of the Town and
349 filed with the Town Clerk, the Town Council, within forty-five (45) days of the filing, shall appoint
350 a Districting Commission." Then the (b) in the Charter would become (c) and the (c) would become
351 (d) with the insertion of ", shall not consist of Town Council members," and (d) would become (e)
352 with the removal of the second line. Ms. Billado and Ms. Myers agreed that the second line in (e)
353 would remain in (e). Mr. Sweeney confirmed with Ms. Myers that "shall not consist of Town
354 Council members" would be located in (d).

355

356 Mr. Sweeney suggested they move on to the next topic as he did not think they needed a motion.
357 Mr. Blanchard asked whether they needed a vote? Mr. Sweeney stated that a vote could occur if
358 they had a consensus and asked members if they wanted to vote or whether someone wanted to
359 make a motion.

360

361 **JOHN LAJZA MOVED AND IRENE WRENNER SECONDED A MOTION TO ADOPT**
362 **LINDA MYER'S AMENDMENT TO THE PROPOSED LANGUAGE FROM RENE**
363 **BLANCHARD AS PREVIOUSLY MENTIONED.**

364

365 Ms. Higgins asked for clarification that this motion meant that the new language would suggest that
366 redistricting could occur before 2013. Ms. Billado felt that was her own interpretation, and Mr.
367 Lajza stated that he was not concerned with that issue.

368

369 **THE MOTION PASSED 8-2-0. (Linda Myers and Barbara Higgins opposed)**

370

371 Mr. Lajza asked Ms. Myers why she voted against the motion. Ms. Myers stated that she had not
372 liked the plan of the Districting Commission from the beginning. Ms. Myers had thought that the
373 possibility of creating districts would go through the Board of Civil Authority, not through a
374 separate Districting Commission appointed by the new Town Council. Her problem with this
375 proposal was not that the new community may go to multiple districts some day in the future, but
376 that she believed that districting was under the purview of the Board of Civil authority rather than a
377 Districting Commission, which she opposed. Ms. Myers stated that the Board of Civil Authority
378 determined the legislative districts, and she felt this could be done for the Town districts as well.
379 Mr. Lajza suggested that Ms. Myers could be correct. Mr. Sweeney reminded the members that
380 there were two other Charters with similar language, Montpelier being one of them. He reminded
381 the members that they began the journey of adding section 210 by borrowing the language from the
382 Montpelier Charter and that Mr. Overton wanted to revise the language to include his intent. Mr.
383 Blanchard asked Ms. Myers whether she would recommend that the language for the Board of Civil
384 Authority to determine districts would also include the option of a petition? Ms. Myers replied that
385 it would be an issue to discuss and that theoretically, citizens could petition for anything at any
386 time, and Mr. Scheidel agreed. Ms. Myers stated that petitioning could not be ignored with this
387 issue and that a petition could occur because it was part of local government procedures. Mr.
388 Blanchard wanted to include language in the Charter in regards to a petition, so that if the new
389 community wanted change, it would be apparent that there was an option for change. Ms. Myers
390 stated that she and Mr. Blanchard were going to have to agree to disagree on this issue.

391

392 **Charter Review**

393

394 It was determined that the members completed their review on the Charter up to section 105 on
395 page 2 in the Charter. Mr. Sweeney confirmed that members had the Charter version dated,
396 02/01/06 and were on page 2, paragraph 105. ORDINANCES; METHOD OF ADOPTION AND
397 ENFORCEMENT. Mr. Safford asked if members had the “strike out” version of the Charter or a
398 clean copy, and members agreed that they had the “strike out” version. He referred members to the
399 stricken language “grand juror or” in (a) and recommended inserting “Attorney” because the
400 Attorney or the police officers may enforce ordinance violations. Ms. Myers suggested adding the
401 word “Town” before police officers as well to distinguish them from State Police, and Mr. Safford
402 agreed. Ms. Wrenner asked for clarification, and Mr. Sweeney stated that “grand juror or” would be
403 replaced by “Attorney or Town” so it should read, “through the Town Attorney or Town police
404 officers”. With no other changes, Mr. Sweeney moved on to paragraph 106.

405

406 INTRODUCTION;FIRST AND SECOND READINGS;PUBLIC HEARING. One member asked
407 whether the zoning ordinances would follow the Charter or follow Chapter 117, and Mr. Safford
408 stated that it read that they would follow the Charter at the present time. Mr. Safford felt it was an
409 interesting question as it was the first of ordinances, in general, assuming that there were municipal
410 ordinances outside of the zoning ordinances, but it did not specifically say that. Mr. Safford asked
411 whether the Town zoning ordinances followed the Charter or Chapter 117? Mr. Safford suggested
412 that the Task Force make it clear that these were ordinances other than the zoning and that zoning
413 would follow the state statute of Chapter 117. Mr. Safford stated that he recommended “Attorney”
414 in (a) because with the zoning ordinances, it would be the Attorney with the purview to enforce, not
415 the police. Ms. Myers clarified that zoning was part of ordinances, and Mr. Safford stated that they

416 were ordinances, but that the language did not make a distinction in section 106. Mr. Safford stated
417 that the question was whether the Task Force wanted to follow Chapter 117 for zoning ordinances
418 or the process in the Charter? Mr. Scheidel explained that the Town Plan, zoning and subdivision
419 regulations were followed under the State law, Chapter 117, and as the State changed, the Town
420 also changed in order to be consistent and to use the State law as directly relating to their decision-
421 making process.

422

423 Mr. Lajza asked if it specified what ordinances were being covered? Mr. Scheidel stated that it was
424 in the process of what needed to be done when you go through planning and zoning. Mr. Safford
425 stated that the language outlined a process and suggested saying, "Per the Town Attorney and the
426 staff". Mr. Lajza wondered if they should say, "ordinances not covered by Chapter 117". Mr.
427 Safford stated that the members could ask staff to develop some language in that respect such as
428 "the purpose of zoning ordinances shall follow State law". He noted that the language currently in
429 the Charter was a much more elaborate process than was otherwise required for adopting the
430 general ordinances, such as the motor vehicle ordinances. Mr. Scheidel referred members to page
431 10 of the Charter, which outlined that the Planning Commission follow the "Vermont Statutes
432 Annotated, as they may be amended from time to time hereafter." He suggested that this language
433 might be sufficient to address their concern. Mr. Sweeney was in favor getting clarification in
434 section 106, regarding the adoption of zoning, planning and subdivision regulations. Ms. Higgins
435 felt there was an enforcement issue and stated that the other sections were silent. Mr. Lajza
436 suggested identifying the ordinances in Subchapter 4 as clarification. Mr. Safford stated that staff
437 would spend some time on this issue and return to the Task Force with a proposal. Mr. Sweeney
438 asked Mr. Lajza for clarification. Mr. Lajza referred to section 109, "The Town council, any
439 ordinance" and suggested placing a comma and having it read, "except for ordinances specified in
440 Subchapter 4". Mr. Sweeney asked about the content in Subchapter 4, and Mr. Lajza explained that
441 Subchapter 4 was related to the Planning Commission. Mr. Safford wondered if it may be the
442 intention for this process to supersede the Chapter 117 adoption process, but Mr. Sweeney
443 disagreed. Mr. Sweeney summarized the request from the Task Force to the staff for clarification
444 of section 106, regarding adoption of zoning, planning and subdivision regulations as to whether it
445 should be clarified or not. Mr. Safford stated that it seemed to him that the members would like the
446 staff to align it to Chapter 117, and Mr. Sweeney did not think they had any other choice. Mr.
447 Safford stated that the members could always modify an issue by the Charter, which was the
448 purpose of the Charter, and Mr. Sweeney understood, but was concerned with sending the message
449 to Montpelier that they were not following State law, regarding Zoning and Planning. He confirmed
450 with members that they had always followed that process to adopt the Town Plan under zoning and
451 subdivision regulations, so that it needed to be clear that they would follow the State law regarding
452 Title 24 or Chapter 117, whichever was correct, and Mr. Safford understood.

453

454 In regards to sections 107. EFFECTIVE DATE and 108. FILING, there were no comments.

455

456 In regards to the third sentence in section 109. RESCISSION OF ORDINANCES, Ms. Myers
457 wondered why they had five percent in that section and ten percent in the Districting section of 210
458 that they just approved. Mr. Safford stated that the language was ten percent as indicated by the
459 Task Force at the last meeting. Ms. Myers asked if they could change five percent to ten percent in
460 section 109? Mr. Safford stated that state law was five percent, and Ms. Myers reminded him that it
461 could change as the legislature was in the process of discussing an increase to the number of

462 required qualified voters for a petition. Mr. Sweeney clarified that it would increase to twenty
463 percent, and Ms. Myers replied that it could go as high as twenty percent. She recommended being
464 consistent in the creation of a Charter for the new community and change it to ten percent, and
465 members agreed. Ms. Higgins added that she felt they should not be any less restrictive on this
466 issue, and Ms. Myers replied, on any issue. Mr. Sweeney felt that there would be other places in
467 the Charter that needed that change, and Ms. Myers felt they would change it as they reviewed each
468 section. Mr. Sweeney pointed out that they added section (b) under 109. Mr. Sweeney stated that
469 this language meant that the process could only be done once every twelve months. Ms. Higgins
470 asked whether the last sentence of 109 should be changed to ten percent. Mr. Sweeney clarified that
471 it was a ballot threshold. Mr. Lajza commented that five percent would be 1400 people. Members
472 deliberated on what was the number of people that equaled five percent of the new community and
473 determined that five percent would be 600 people. Mr. Scheidel stated that the voting was by
474 Australian ballot at Town Meeting. Members deliberated as to whether they should change the
475 threshold percent. Mr. Blanchard asked whether they thought 1200 people would attend a meeting?
476 Members wondered why it was in the Charter? Ms. Higgins felt that the intent was so that a very
477 small percentage of people could not change the existing ordinance, and Mr. Sweeney felt that was
478 correct. Ms. Myers felt that five percent would be sufficient because it was a threshold of voters,
479 not the number of people needed to present an item on a ballot through a petition. Mr. Sweeney
480 agreed and stated that the five percent was a quorum.

481
482 In regards to section 110. PETITION FOR ENACTMENT OF ORDINANCE;SPECIAL
483 MEETING, Mr. Sweeney clarified that this section addressed the petition by the voters for an
484 action on any ordinance. It was determined that section 110 was a bit redundant, but members were
485 comfortable with the redundancy. With no further discussion on section 110, Mr. Sweeney moved
486 the discussion to section 111. RESERVATION OF POWERS TO THE TOWN and there were no
487 comments. In regards to Subchapter 2. Officers, section 201. OFFICERS GENERALLY, there
488 were no comments. With regards to section 202. TOWN COUNCILORS;NUMBER, TERMS OF
489 OFFICE, ELECTION, Mr. Safford wondered what would happen if the new community decided on
490 a Districting Plan? Ms. Myers stated that they would have to change the Charter and stated that if
491 was not possible to take all the future possibilities and have a contingency plan prior to establishing
492 a Charter. She did not think it was a problem if they needed to change the Charter. Mr. Lajza
493 pointed out that it stated that "There shall be a Town council consisting of seven members." Ms.
494 Higgins stated that changing the number did not change the need for a Charter change. Mr. Lajza
495 understood, but stated that they would have to change the Charter through the legislature to change
496 the number. Mr. Sweeney felt that Mr. Odit addressed this issue in (d), which was revised to read,
497 "All councilors shall be elected at large, or as otherwise provided for by an approved plan of
498 transition under section 210." He added, however, if seven was changed, then (a) would have to
499 change because it defined seven. Mr. Lajza suggested add to (a) "or as defined in section 210" and
500 Ms. Myers disagreed. Mr. Sweeney suggested keeping it simple. Mr. Safford suggested that they
501 may want to consider Mr. Lajza's suggestion so they did not need to amend their Charter and
502 recommended determining how to have that qualifying language, as in section 210, because if the
503 community chose to have districts, then at the next annual meeting, the community would elect
504 people via districts. Ms. Myers emphasized that it was impossible to take every single scenario that
505 could happen for the new community into consideration in a Charter because the future was
506 unknown. Mr. Safford commented that this was the challenge with section 210 to begin with,
507 because it was based on a future contingency that was undefined. Mr. Safford stated that intent was

508 to remind the public that they could petition for change and wondered if there was a way to include
509 language that prevented them from having to return to the legislature for a Charter change. Ms.
510 Myers referred to (d) as a response to Mr. Safford. Mr. Lajza pointed out that there was still the
511 number of council members, and Ms. Higgins suggested adding, “or as otherwise provided for by”.
512 Mr. Safford stated that the simplest action was to strike section 210. He explained that if the
513 members did not want to return to the legislature for a Charter change, then they had to determine
514 how to make section 202 consistent with section 210. Ms. Myers understood that some members
515 did not want to have to go to the legislature, but stated that sometimes it had to be done, such as in
516 this case and that there were many charter changes that went through the legislature on a regular
517 basis. She argued that they could not determine the number of future council members the new
518 community would want. Mr. Lajza stated that it would be determined by the process in section 210,
519 and Mr. Sweeney suggested using the same language in section 202 (d) to address this issue.

520
521 Mr. Safford recommended using a “catch-all” sentence, and Ms. Myers stated that section 210 did
522 not provide the number of councilors. It was determined by members that the language stated “one
523 to seven districts”, not the number of council members. Mr. Safford suggested leaving section 202
524 (a) as it was, consisting of seven members and in (c), adding what Mr. Odit added to (d), “or
525 otherwise provided by an approved plan of transition under section 210.” Mr. Sweeney stated that
526 he was beginning to agree with Mr. Safford's former statement that it may be simplest to omit
527 section 210. Mr. Safford thought it was awkward to try to cover future contingencies in a Charter
528 and that there was not a precedent anywhere else in the State. Ms. Myers thought she had heard this
529 recommendation in the past. Mr. Sweeney argued that it was not worth all the trouble they had
530 given it. Mr. Lajza was concerned that if the Task Force was confused and frustrated, so would the
531 legislature. Mr. Sweeney stated, especially if they had to start editing all the other sections in the
532 Charter, and Mr. Lajza agreed that it was getting very cumbersome, as stated by Mr. Sweeney. Ms.
533 Wrenner suggested replacing “seven council members ” with “odd number of council members”
534 and keeping it vague. Mr. Safford stated that as a Manager, he wanted to know, from the Charter,
535 how many council members there would be, which was the purpose of the document. Ms. Myers
536 repeated that in the beginning of the merger, the Town Council would have seven council members
537 and that it was just impossible to see into the future about other possibilities there might be and
538 address them at the present time.

539
540 Mr. Safford added that the Manager would want to know the election schedule and terms, and he
541 stated that the question was whether the Task Force should modify the language throughout the
542 Charter to be consistent with section 210? Mr. Sweeney agreed that was the question because if
543 they had section 210 in the Charter, then all the other sections would have to be modified and if the
544 intent was to avoid going to the legislature, then they should have all the sections agree with each
545 other if possible. Mr. Safford pointed out that the Task Force might not want to make it confusing
546 to those members in the future as well. He commented that the members today might remember
547 what they did to avoid returning to the legislature, but that it may be forgotten that there may be all
548 these other sections that need to be reconciled before returning to the legislature for a Charter
549 change. Mr. Safford remarked that if the new community were to go to the legislature for a Charter
550 change, they should present the whole document as opposed to pieces of the document. At that
551 time, if the community wanted districts, they could petition for the Town Council to modify the
552 Charter accordingly and then get approval by the legislature with complete confidence. He
553 recommended not having a Charter that had a split personality to present before the legislature. Ms.

554 Myers asked if Mr. Safford was recommending that the Task Force omit section 210. Mr. Safford
555 replied that it was a policy question.

556

557 Mr. Sweeney asked if any members had a change of opinion on section 210. Ms. Wrenner, Ms.
558 Billado and Mr. Lajza stated that they would change their opinions. Mr. Sweeney entertained a
559 motion to reconsider the previous motion, and Ms. Myers reminded him that the motion needed to
560 be made by the person who moved or seconded the previous motion.

561

562 **JOHN LAJZA MOVED AND DEB BILLADO SECONDED A MOTION TO RECONSIDER**
563 **THE PREVIOUS MOTION.**

564

565 **THE MOTION PASSED 7-1-0. (Rene Blanchard opposed)**

566

567 **LINDA MYERS MOVED AND DEB BILLADO SECONDED A MOTION TO DELETE**
568 **SECTION 210 IN ITS ENTIRETY FROM THE CHARTER.**

569

570 Ms. Higgins commented that it was still an option for the public to petition, so that the Task Force
571 had not precluded a citizen coming forward with a petition to create districts. Mr. Blanchard
572 commented that the concept came from Mr. Overton who was a lawyer and that he must have felt
573 the need to include this language for some important reason. Mr. Sweeney recalled that the Task
574 Force took language from the Montpelier Charter for their Charter that gave the ability for the
575 Town Council to make any changes in districts and that Mr. Overton, with his legal expertise, came
576 forward with a procedure that he thought would be better. Mr. Sweeney stated that the Task Force
577 needed to decide whether it was the right policy to move forward with or not. Mr. Safford
578 reminded the Task Force that historically, the use of the Montpelier language was valid when they
579 were trying to decide whether they were going to an at-large or district system, and subsequent to
580 that, the Task Force decided to go to an at-large system. Mr. Lajza stated that he had not recognized
581 the lack of clarity that occurred by introducing the Montpelier language.

582

583 There were no further comments on the motion.

584

585 **THE MOTION PASSED 7-1-0. (Rene Blanchard opposed)**

586

587 Ms. Myers, with regards to section 202 (d), felt it should read, "All councilors shall be elected at-
588 large.", striking, "or as otherwise provided..... under section 210."

589

590 In regards to section 202 (e), Mr. Sweeney reminded the Task Force members that the members
591 would have three consecutive terms requiring a three-year break for the elected councils. Ms.
592 Myers wanted to make an editorial comment about this issue. She had finished reading an article in
593 Governing Magazine that had to do with term limits for legislatures. In the article, the author stated
594 that with states that had term limits, they were finding that it became an extremely difficult issue to
595 handle because when terms were limited to three years, a freshman legislator was already being
596 designated as the speaker of the House for the future, because everyone else would be gone. She
597 found it very interesting in light of their discussions and wanted to share the information, but was
598 not in favor of making any changes to the Charter. She reiterated that legislators with term limits
599 were finding it extremely difficult to deal with the freshman class that had absolutely no knowledge

600 of bills and laws from the past. There was suddenly a huge learning curve that made it very
601 difficult. Mr. Sweeney stated that they were always willing to rethink an issue. Mr. Lajza asked
602 whether term limits would be an obstacle at the legislature. Ms. Myers remarked that it was one of
603 the issues that the Local Government Committee had said “could be problematic”, and Ms. Higgins
604 asked why? Ms. Myers stated that it was because there were no term limits in any other
605 communities' plans in the State and that their Charter would be setting a precedent. Mr. Blanchard
606 would be concerned about this being problematic as well. Ms. Billado stated that it was a self-
607 serving concern. Ms. Higgins wondered how it was self-serving as she had seen other groups who
608 had shorter lengths of terms and asked if shorter terms would have any effect at the legislature?
609 Ms. Myers did not think it would have any impact, but rather that the problem was related to the
610 concept of term limits. Ms. Myers remarked that the one question the Task Force had already
611 omitted had been a deal breaker. Mr. Sweeney confirmed that the deal breaker had been the issue of
612 holding multiple offices, and Ms. Myers agreed. Ms. Higgins reminded the members that the
613 Charter they developed was a recommendation of the Task Force that would go to the Selectboard
614 and Trustees, who would have the opportunity to reverse the decision if there were any concerns.
615 She believed the Trustees and the Selectboard would do what they needed to make sure the Charter
616 was approved. Mr. Sweeney agreed, but still felt an obligation to pass along as few issues as
617 possible to the Selectboard and the Trustees, especially deal breakers. Ms. Myers was not sure this
618 issue was a deal breaker, but stated that the Chair of the Local Government used the phrase, “could
619 be problematic”. She reminded the members that the Chair was only one person out of perhaps an
620 eleven-member committee. Mr. Sweeney confirmed that there were no other Charters or officers as
621 elected officials who had this issue within the State, and Ms. Myers agreed.

622

623 Mr. Scheidel asked would it be problematic if the length of the term was four years, and Ms. Myers
624 did not think it was the length of the term, but rather the concept. Ms. Billado stated that it was
625 threatening to politicians because no one wanted to give up the power and prestige of the position.
626 She commented that not having term limits was a bit self-serving. She was not sure it served the
627 community at large and felt that it closed the door to many in the community and kept others where
628 they wanted to be. Mr. Lajza stated that right now it was a guess whether it would be problematic.
629 Ms. Billado felt that the last time they had two Selectboard members up for election, there were no
630 opponents. She wondered how many people would not run against the current open seats because of
631 competition for name recognition or the lack of confidence that they could not win. Ms. Myers
632 suggested that it may be because the current officials were doing a good job. Mr. Lajza stated that it
633 really was an unknown. Ms. Billado felt there were mechanisms to get more people involved in the
634 community. Speaking on her behalf, Ms. Billado felt that when her nine year term was expired, she
635 would not seek re-election, she would find other things in the community to do, which were many
636 and would provide her with the opportunity to contribute and to learn from other people and
637 experiences. Then if she returned to the prestigious position of a Trustee, she would return with
638 different experiences and expertise to bring to the position. She also felt shorter terms would help
639 educate the masses because the more people that were involved, the more people there would be
640 following the issues. Ms. Billado remarked that currently, the attendance from the public at the
641 Task Force meetings was sparse because people did not understand it as a priority and that there
642 was a lack of involvement from the community. Ms. Myers stated that people at the present time
643 were so busy that they left the responsibility of running the community to those who had already
644 committed themselves and had the time and desire to give the position. Mr. Lajza pointed out that at
645 the present time, the Trustees were discussing many issues on Channel 17 and that anyone could

646 down load the meeting from the Internet. Members discussed down loading the meetings from
647 Channel 17 on the Internet.

648

649 Ms. Wrenner pointed out a typo in the title of section 202, "COUNCILLOR", which should be
650 spelled "COUNCILOR" as to be consistent throughout the document. Ms. Wrenner wondered if
651 term lengths could be changed from three-year to two-year terms to facilitate a future change in
652 election methods, and members felt two years would be too short and would not allow time for the
653 learning curve for newly elected officials. Mr. Sweeney asked if Ms. Wrenner wanted to make a
654 motion, and Ms. Wrenner stated that she was just curious and wondered if four years would be
655 viable, and members noted that three years was a standard term for a local governing board. Mr.
656 Lajza stated that the Charter defined how long term limits were and did not know how that could be
657 changed if desired. Mr. Safford stated that a Charter change could occur at anytime about anything
658 in the Charter by petition, whether it be spearheaded by the Town Council or the citizens. Mr.
659 Sweeney suggested Ms. Wrenner contemplate more on the issue and return with some ideas if she
660 liked, as it was time to end their formal agenda.

661

662 **Discussion of Future Agenda Items**

663

664 Mr. Sweeney stated that the Task Force would return to section 202 the next time they reviewed the
665 Charter. Mr. Lajza felt they should review the list of "Things to Complete" and move the process
666 along. He had hoped to get the document complete at the time of the school vote, but did not know
667 if they could do that. Mr. Sweeney confirmed that Mr. Lajza would like to review the Charge, and
668 Mr. Lajza agreed. Mr. Sweeney asked if there should be any preparation, and Mr. Lajza felt they
669 should go through what they had accomplished and create a time line. Mr. Sweeney stated that
670 there was still a request for a recommendation from the Managers and there was a question about
671 budgets. He knew that the staff and the Managers were very busy until after Town Meeting. Mr.
672 Scheidel stated that the Town Meeting was March 6th and the Village was a little later. He noted
673 that they had done a little work with their presentation and could at least organize what needed to
674 be presented. Mr. Sweeney stated that they would review the charge next week to determine what
675 remained to be addressed and to outline the time line for future clarity as to their schedule of
676 discussions. Mr. Lajza added that Channel 17 had been getting calls of interest from the public
677 pertaining to the status of the Task Force meetings and stated that it would be helpful to prepare a
678 five or ten-minute update/checklist for them.

679

680 **Public Input-General Comments**

681

682 **Mr. Chuck Lloyd**

683

684 Mr. Lloyd had listened to a lot of discussion about redistricting and presently, he was a lot more
685 confused. He stated that the multitude of discussion about districting was complicated. He would
686 formally request some way of introducing into the Charter, the concept that Ms. Wrenner presented
687 last week as a potential action for the future community. He was in favor of giving the modern
688 election methods topic due diligence and balancing the effect it might have versus what had been
689 discussed and whether it would really be more common sense or actually more simple in terms of
690 achieving good results for representation for the community. He noted that the members keep
691 implying that they had put the district issue "to bed", but that it seemed to keep resurfacing. He

MERGER TASK FORCE

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692 was concerned that they were going in circles with the topic of discussion and that it took up a lot
693 of time, with little progress. However, Mr. Lloyd stated that he appreciated the work that the Task
694 Force was completing.

695

696 **Ms. Linda Myers**

697

698 Ms. Myers cordially invited everyone to attend the State Cheer Leading competition on Saturday,
699 February 25th at the Champlain Valley Exposition. She stated that she hoped this group found a
700 permanent home at the Exposition, that it began at 5:00 p.m. and welcomed anybody who would
701 like to attend. She commented that admission would be about \$5.00 for adults.

702

703 **RENE BLANCHARD MOVED AND GEORGE BOUCHER SECONDED A MOTION TO**
704 **ADJOURN AT 9:00 P.M.**

705

706 **THE MOTION PASSED 8-0.**

707

708 **Respectfully submitted,**

709 *Saramichelle Stultz*

710

711 *Saramichelle Stultz*

712 Recording Secretary

713

714

715

716 (THESE MINUTES ARE SUBJECT TO CHANGE AT THE NEXT MERGER TASK FORCE
717 MEETING)