

**RICHMOND SELECTBOARD
REGULAR MEETING
January 10, 2012 MINUTES**

Members Present: Jon Kart; Neil Boyden; Erik Filkorn; Chris Granda; June Heston
Absent: None
Others Present: Geoffrey Urbanik, Town Administrator; Maureen Kangley; Brad Worthen; Frederick Barrett; Marcia Lawrence; David Sunshine; Wright Preston and Aron Meinhardt was present to videotape the meeting for MMCTV Channel 15.

Chair Kart called the meeting to order at 7:10 p.m.

1. Charter Amendments

The Administrator explained the process by which two charter amendments were proposed. In 2009 the Selectboard began a process to explore the possibility of a Town Manager. Along with this was a review of two elected positions to see if it was recommended to change them to appointed positions: lister and delinquent tax collector.

The Administrator recognized those involved in both the Governance Committee and the Charter Change Committee: June Heston and Mary Houle, Selectboard liaisons, Brad Worthen, Marcia Lawrence, Fran Thomas, Marie Thomas, David Sunshine, Wright Preston, Anne O'Brien and Frederick Barrett.

Delinquent Tax Collector

The public hearing began with Mr. Filkorn supporting the recommendation that this position become an appointed position, and it was previously agreed by the Selectboard that this position would be appointed annually by the Selectboard. Mr. Filkorn said he had seen both good and bad in the position over the years and said that paid staff bears some burden due to the performance of the delinquent tax collector. Therefore, this needed to be brought in house for more accountability.

Mr. Granda asked if this position was regularly contested and Chair Kart said not recently, and Mr. Filkorn said maybe twice in ten years.

Ms. Heston said that it was currently easy to get someone who was unqualified, and who kept records apart from the town. If appointed, the town would retain the records and have accountability.

Brad Worthen said he was in favor of making the position appointed but it should be the Town Manager who does this.

Ms. Heston and Chair Kart said that this could be implemented by the Selectboard through the Town Manager.

David Sunshine asked about the last sentence in the proposed amendment, and asked what penalties there were.

Ms. Heston said that the town would pay a wage, and keep the penalties in place now. This could also be based on commission, only paid by the Town.

1 Mr. Worthen asked if there was any reason that the town still couldn't maintain an elected position if
2 this went into effect, and the answer was no, it would have to change.

3
4 Maureen Kangley said that she used to go to meetings where Mr. Moultroup would be manhandled by
5 the Selectboard. She said that Mr. Moultroup would never evict someone from their home at
6 Christmastime. She said that this is a democracy, and that making all of the positions appointed
7 removed that from the residents. She said that there needed to be some humanity in the position,
8 which decides if and when people lose their homes or belongings.

9
10 Aron Meinhardt agreed with Ms. Kangley. He resisted the idea of making an elected position into an
11 appointed one. He felt that transparency and full accountability were important.

12
13 Wright Preston said that the town has had many different delinquent tax collectors, but it was more
14 important to have the support of the Selectboard and Town Manager. He felt that taxpayers would
15 benefit from having a better managed collector.

16
17 Mr. Worthen asked if the amendment changes be the same article, and the answer was no, there were
18 two separate articles. There was some discussion on ballot positioning, and both were by law set to be
19 Australian ballot.

20
21 Mr. Filkorn asked if this was a formal public hearing, and if it was necessary to formally vote to open
22 and close the hearing. The Administrator said it was a formal hearing, although the lack of a formal
23 vote opening the hearing would likely not be enough to invalidate the vote of the people on Town
24 Meeting day due to a technicality. This was clearly a public hearing on the issue and was being
25 treated as such.

26
27 Mr. Boyden then offered a motion to close the public hearing on the Delinquent Tax Collector
28 amendment and was seconded by Mr. Filkorn and the motion carried 5-0.

29
30 Town Manager

31
32 Mr. Filkorn offered a motion to open the public hearing on the Town Manager charter amendment and
33 was seconded by Mr. Granda and the motion carried 5-0.

34
35 The Administrator provided an overview of the proposed changes, which were available in a handout
36 for the audience. The significant change was that the Town Manager was in charge of daily
37 operations, while the Selectboard retained policy and overall responsibility. The powers, restrictions,
38 qualifications and other items were spelled out in the charter amendment.

39
40 Chair Kart said that in four years he has heard many people say that Richmond is ready for this
41 change. He continued, saying that the Selectboard has problems with managing the day-to-day affairs
42 of the town and neglects policy issues and getting tasks completed. The Town Manager form was
43 tested with the amended job description approve by the Selectboard for the Town Administrator and
44 this has not yielded any major difficulties.

45
46 Mr. Boyden said that in the past thirty years he has served as a Town Manager, and served under
47 Town Managers and been on the Selectboard. He said that since the Selectboard is not here everyday
48 they have difficulty with knowing all that goes on, but with a paid Town Manager they would have the
49 job to know these things.

50

1 Mr. Filkorn said that the town needs someone who is consistent in the position, and has the time to get
2 grants. As the longest serving on the Selectboard he would expect himself to be the most against a
3 significant change, but was not, and he agreed that this was necessary.
4

5 Frederick Barrett said that in years before the Selectboard meetings used to go to 11:30 or midnight
6 because of personnel issues, and policy never seemed to get done. He said that the current
7 Administrator has been in an expanded role and it has worked out well. The Town Manager is subject
8 to the direction of the Selectboard and is held accountable. Mr. Barrett felt that the amendment
9 provided enough detail, but further detail in duties were to be added in the Job Description, not the
10 charter.
11

12 David Sunshine why there were two types of Acting Town Manager appointments. There was some
13 discussion that explained that in a short absence the Town Manager was expected to select someone to
14 be in charge while they were absent, while in a vacancy or prolonged absence the Selectboard was
15 required to make that determination.
16

17 Maureen Kangley asked how the town would ensure a competent person was hired.
18

19 Chair Kart said that the town had to trust that the Selectboard would hire the right person.
20

21 Mr. Grada said that in 2010 he had not voted to move forward with exploring the Town Manager
22 because the Administrator was new and he wasn't sure it was necessary. At this time he agreed that
23 the Selectboard could be more effective and needed to hire the best Town Manager.
24

25 Ms. Heston said she was the newest member, and came in during the middle of the process, but she
26 has run nonprofit organizations before and they function in a similar way with governing board and an
27 executive director. The board had to rely on the director to run the organization.
28

29 Mr. Filkorn said that in this situation, two members of the Selectboard couldn't "go rogue" and run the
30 town contrary to an agreed course of action.
31

32 Mr. Boyden said that some decisions couldn't wait two weeks to be made, and a Town Manager could
33 handle those.
34

35 The Administrator explained his point of view that the legislation couldn't be foolproofed, and all town
36 officials held the public trust. If that trust was violated, it took the remainder of the officials and the
37 public to correct the errors. In the Town Manager form of government, the Town Manager would still
38 be accountable to both the public and the Selectboard.
39

40 Brad Worthen said that in the Governance Committee's explorations, they decided to enroll the public
41 and created a complaint form. No forms had yet been returned.
42

43 Marcia Lawrence said that the language in section 2, point 4, should read as "elected" tax collector.
44 There was discussion and an amendment to the language was agreed upon to read "any elected."
45

46 Mr. Filkorn offered a motion to close the public hearing on the Town Manager amendment and was
47 seconded by Mr. Boyden and the motion carried 5-0.
48

49 Mr. Granda offered a motion to accept language amendments as discussed with the Town Manager
50 amendment and was seconded by Ms. Heston, and the motion carried 5-0.

1
2 Mr. Granda offered a motion to make a minor amendment in the second line of the Delinquent Tax
3 Collector amendment, striking a "the" and was seconded by Ms. Heston and the motion carried 5-0.

4
5 FY2013 Budget - Format Question

6
7 Chair Kart brought up the subject of how to present the proposed budget in the Annual Town Report.
8 He suggested that the capital and debt lines be directed under department budgets to show accurate
9 cost figures. However, people used to seeing it another way may object.

10
11 Mr. Filkorn agreed, saying some people may accuse them of trying to hide debt. There was additional
12 discussion, and Ms. Heston suggested putting debt items into department budgets and provide a
13 narrative as to why this was changed.

14
15 Mr. Filkorn asked if maybe a separate capital and debt summary could be created.

16
17 The Administrator was directed to make the change.

18
19 Chair Kart reminded everyone of Thursday's PACE hearing.

20
21 Mr. Filkorn thanked everyone who had served on committees.

22
23 **2. Adjourn**

24 Motion by Ms. Heston to adjourn the meeting at 8:20 p.m. Seconded by Mr. Granda. So voted.