

Town of Milton
Special Town Council Workshop Meeting Minutes
Milton Library, 121 Union Street
February 14, 2007

The meeting was called to order at 6:00 P.M. by Mayor Don Post.

Present: Councilman Frey
Councilman Harris
Councilwoman Betts
Mayor Post
Deanna Duby, Secretary for Ad-Hoc Charter Review Committee
George Dickerson, Town Manager

Absent: Councilwoman Melson
Councilman Prettyman
Councilman Dvornick

Meeting purpose is to discuss the Proposed Charter Revisions that have been presented by the Ad-Hoc Charter Review Committee. Mayor Post read the proposed charter changes beginning with Section 1 and continued in sequential order to Section 14 throughout the meeting. The following are the comments given by members present at the meeting.

Section 1: No questions or comments.

Section 2 and Section 3: Mayor Post: "I would prefer on Section 2 and 3 to send them to URS for review and comment to see what the easiest way would be to write this." George Dickerson: "spoke with Debbie from URS and we can bring those parcels and subdivisions on to minimize that cost through GIS system, however, there will be a cost associated with it. My opinion is that we do need to update but URS should review it first to give us an idea of cost." Mayor Post: "I am not looking for them to change the content but for them to review for the content and make sure that it is written correctly, get their comments on it, and bring it back for discussion."

Section 4: Mayor Post: "This section speaks of the Mayor's term being 2 years. I think that the Mayor should be a 3 year term, it is a realistic term for a person in a leadership term." Councilman Frey: "I feel that the term should be 3 years." Councilman Harris: "I agree that the Mayor should be 3 years." Councilwoman Betts: "I feel it should be 3 years and go into effect at the next election."

Section 5: Mayor Post: "Something that should be considered as perhaps a part D is in regards to someone with a convicted felony or offense." Councilwoman Betts: "There should be a background check." Mayor Post: "It should include possible verbiage stated as 'any person who shall have been convicted or becomes convicted of criminal offense involving moral turpitude (i.e. theft, shoplifting, etc).'" Councilwoman Betts: "That should be both the Mayor and Council even while during office and that they can be removed if found guilty." Councilman Harris: "Absolutely, I support it." Councilman Frey: "I agree 100 percent." George Dickerson: "It is important to refer to the red letter document so that

you are addressing the proposed changes by the Ad-Hoc Charter Review Committee as you go along.”
Councilman Frey: “I have no problem with the suggested changes.”

Section 6: Mayor Post: “We will see throughout the proposed charter that councilman is changed to council member.” Councilman Frey: “I do not feel that there should be four newspapers I think it should be three and I think it should be four public places. Also, the public places should not be listed.” Mayor Post: “I do not think we should list where either but keep the website listed.” Councilman Harris: “I agree with Councilman Frey.” Deanna Duby: “This section was moved further into the document to Section 7. The Committee felt it was more appropriate listed there instead of this section.”

Section 7: Councilwoman Betts: “I have to go along with the Ad-Hoc because I believe it’s important that everyone have the advantage to vote and not to have to spend half the day in Town just to go out and vote.” George Dickerson: “Does it have to be as early as 7:00 a.m.? Is the voting machines delivered the day before? Is there an issue with the time being 7:00 a.m.?” Councilman Harris: “I feel that persons operating the poles should be responsible for opening and closing the machines.” Councilwoman Betts: “Probably in June or July of this year all Town’s will have to comply with the Board of Election’s rules and regulations.” Mayor Post: “Further down the proposed charter they have increased the number on the Election Board.” Councilman Frey: “If the state requires us to open at 7:00 a.m. will that oversee our Charter?” Mayor Post: “What we will have to do is word smith this so that it includes verbiage to make us in compliance.” Councilwoman Betts: “and or the Election Board’s mandates.” Mayor Post: “We should make a note on this section to make it important and Stephanie can look into this further with the Election Board.” Councilwoman Betts: “If we are mandated by the state they will give the municipalities the training needed.” Councilman Frey: “I think section 7 (b) should state Town Clerk not Town Council.” Mayor Post, Councilwoman Betts, and Councilman Harris all agree. Mr. Dickerson has an issue with the date (March A.D. 1979) being eliminated in section 7 (b) and asks that Council keep the date listed in the Charter for historic, accounting, and election reference. Mayor Post: “We certainly want to keep that date in the Charter. We need to word smith the old section 7 (b) with the proposed (b). Section 7 (b), (c), and (d) are a chronological establishment of the elections and that is why I think it is vital that we keep those original dates in the charter.” Mayor Post: “I feel here again that the Mayor term needs to be changed from 2 years to 3 years.” Councilman Frey: “That should happen throughout the charter.” Mr. Dickerson: “Deanna, perhaps myself, and Council could do the word smith here and incorporate these sections (Section 7 (b), (c), and (d)) into one section that speaks to everything that you wish to include.” Everyone agrees. George Dickerson: “Perhaps verbiage should be included that the alternates ‘will take no part nor have any authority unless others are not present.’” Councilwoman Betts: “I feel that this should also be checked by Board of Elections to find out their requirements. Is this the complete current (g)?” Mr. Dickerson: “The proposed (g) is the current charter’s (h).” Stephanie Coulbourne: “Stating that someone needs to bring their utility bill does not show that it’s the primary legal residence, it shows that they have services at that residence. It says not in jail, on probation, or ever convicted of a felony. Is the Town to validate whether each registered voter is not...?” Mayor Post: “It should be in there because it is the law; how it is policed I am not sure. The state elections might fall the same way.” Councilman Frey: “You can vote in a school board election if you are a felon.” Mr. Dickerson: “I think that perhaps we need to direct this to the Attorney General’s Office.” Councilwoman Betts: “I would like to see what the old Charter states about registered voters.” Deanna Duby: “It doesn’t state anything that is why we added this section.” Mayor Post: “Do you think we need to ask voter’s to prove citizenship?” Deanna Duby: “In order to prove if a citizen is a primary resident people would have to sign and attest swearing to their primary residency because there is no real way to investigate.”

Councilman Frey: “I would like to see the 120 days be changed back to 30 days. Why are we going to tell people they can’t vote.” Deanna Duby: “If you move to Milton February 1st, we like to think that people know more about the candidates then they could pick up in just a couple of months.” Councilman Harris: “I would be mad if I lived here for three months and people told me I couldn’t vote.” Mayor Post: “Let’s make it 60 days.” Mr. Dickerson: “How would you deal with a handicap person that is unable to get to the DMV and doesn’t have a driver’s license, a passport, etc? Would you accept an attested statement that was notarized?” Councilwoman Betts: “I think you will see that this will be handled by the state elections.” Mayor Post: “I think you could check with another municipality to see how they handle it. Check and see how do they prove someone really lives in that town.” Councilman Frey: “How would we handle situations where handicap persons are unable to sign i.e. the gentleman just this week that wanted to register but could not use a pen?” Stephanie Coulbourne: “The Town Solicitor answered that question by stating that a member from the Board of Elections would have to accompany me to that person’s house, read him an Absentee Ballot, make sure that he understands it, and the Board of Elections would have to verify what he was speaking was on that paper. The registration card can be filled out by someone else, you can notarize it, and he tried his best to try and sign the card. He did have a photo ID that did state his residence here in Milton.” Stephanie Coulbourne: “Why are there two sets of books kept?” Mayor Post: “As a backup. It doesn’t hurt them to sign two.” Councilwoman Betts: “There needs to be a better way.” Councilwoman Betts: “What happens if someone comes in and wanted to write in a candidate’s name?” Mr. Dickerson: “There should be a ballot that they fill out.” Councilwoman Betts: “It is legal to have a write in ballot.” Mayor Post: “I would be very curious to see what other towns do concerning a write in ballot.” Mr. Dickerson: “What is the issue if you only have two candidates?” Everyone agreed with the changes for Section 7 (k), (l), and (m).

Section 8: Councilman Frey: “I think 7:30 o’clock in the evening should be taken out. That’s putting down for an exact time for us to meet.” Mayor Post: “It should be the evening of the first regular meeting in April.” Councilman Frey: “Under section 7 (b) where it states ‘All appointments shall be confirmed by a majority of vote of all the elected members of the Town Council.’ I think that elected should be taken out because Ronda and I are not elected members.”

Section 9: Mayor Post: “I think that it should be stated as certified mail not United States mail that way there is proof of delivery.” Councilman Harris: “I think the whole situation has gotten out of hand.” Councilwoman Betts: “I think that we should sign for our mail in our mailboxes at the Town Hall.” Mayor Post: “I think it should state Town bulletin board and not Milton Town Hall and also strike the words Milton Post Office.” Mayor Post: “Take procedure down to the Mayor calling the meeting and having the Secretary sending out the meeting letters.” Councilman Harris: “It should be the responsibility of the Town Council members to make sure they get their own mail.” Mayor Post: “Perhaps we can make it the duty of the Town Manager or Town Clerk to inform the council members and place it in their mailboxes. (To Mr. Dickerson) When you are word smithing the sections perhaps you can look at this and come up with new wording then we can look at this again.” Mr. Dickerson: “I think it is sufficient that it states seven day notice for the meetings and that we place a copy in each council member’s box.” Deanna Duby: “Keep in mind there is the last sentence that the second meeting needs to be announced at the first council meeting.” Mayor Post: “That needs to be removed. Just take section (a) and reword it then we will bring it up to review again. It is interesting in section (b) that they are using the Sheriff of Sussex County for assessing the pricing.”

Section 10: Mayor Post: “We need to look into the Ordinance listed in this section.” Councilman Frey: “I would like to strike the word elected in the first sentence.” Mayor Post: “We need to strike any where throughout the Charter where the word elected is used.”

Section 11: Councilman Frey: “Should it be stated that the yeas and nays be worded to state a roll call vote.” Mr. Dickerson: “Stated as yeas and nays shall be taken in a roll call vote. Who serves as the Parliamentarian if the Town Solicitor is not present? Perhaps the Town Clerk should have a book of the Robert Rules of Law at each meeting to help answer any questions when the Town Solicitor is not present.”

Section 12: Councilman Frey: “In the front of this Charter there is nothing stated that you have to be a legally registered voter but to be appointed you do, why?” Mayor Post: “You’re right it probably needs to be added to the front of this Charter. George and Stephanie can add this in the appropriate section.” Councilman Frey: “Why, a person’s religion may prohibit them.” Stephanie Coulbourne: “I have had several questions regarding background checks.” Deanna Duby: “Section 5 is stating 120 days and here you are only going to state 60 days?” Mayor Post: “Well I think it should match.” Deanna Duby: “Well I wonder why we just didn’t say meets the requirements stated in section 5.”

Section 13: Mayor Post: “Is there a reason why we are taking out sentenced to imprisonment for any term whatever?” Deanna Duby: “We felt it was redundant. If you’re found guilty of a felony you’re out. You don’t have to go to prison.”

Section 14: Mayor Post: “Is the council meaning Mayor and council or does it just mean the council? We need to determine if the term council means Mayor and council or not.” Mr. Dickerson: “The Town of Milton requires that the Mayor vote in all voting situations not just as a tie breaker so therefore the term council includes the Mayor.” Mayor Post: “I think this needs to be added as a definition somewhere.” Councilman Harris: “Once the changes are made and the Charter is voted on will it be in effect immediately?” Mr. Dickerson: “I recommend at least the amount of \$50,000, the amount of \$2,000 dollars is too low.” Mayor Post: “We will give that some thought and come back to it next time.” Mr. Dickerson: “I am recommending that item (2) not be changed. We need to keep personal and professional.” Mayor Post: “We need to keep the added item (2) and move the old (2) to an added item (10).”

Mayor Post: “We are stopping at Section 15. We will pick up on Wednesday, February 21, 2007, here at 6:00 p.m.

Adjournment: 7:50 p.m.

Respectfully Submitted,

Julie Powers
Executive Secretary