

M I N U T E S

ORDINANCE COMMITTEE MEETING

Meeting of July 21, 2020 – 8:00 a.m.

Zoom Webinar

Present: Committee Chair, Councilor Shepard; Councilors Hartwell and Wilder Cross.

Also present: Town Manager, Ephrem Paraschak; Director of Community Development, Thomas Poirier; Town Planner; Town Planner, Carol Eyerman; Human Resources Director, Christie Young; Executive Assistant, Jessica Hughes.

1. **Consideration of the minutes of the June 16, 2020 meeting.**

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Hartwell and VOTED to accept the amended minutes of the June 16, 2020 meeting as distributed. Unanimous vote.

2. **Current Business**

- A. Review and propose amendments to Chapter 2, Section 2-4 of the Land Use & Development Code, Clustered Residential Development, and bring back recommendations for updates to the Town Council (referred by the Town Council on February 4, 2020).

Community Development Director Tom Poirier reviewed his updated Memo/ attachment A provided, which referenced the changes requested by the Committee at the last meeting, including amendments to the active open space provision in that required active open space would be identified as a percentage of how large the lots were. A change per Councilor Hartwell was made with regard to high value conservation areas in which staff added language that identifies farm land of statewide or local importance of at least one acre, so that when staff and the Planning Board are evaluating clustered subdivisions, farm land will be considered high value. An exemption for the removal of invasive species under the section for prohibited uses of common open space was also added. An adjustment was made under the Common Open Space Ownership section to item C in that common open space owned by an HOA would be conditioned on never being developed.

Mr. Poirier advised the Committee regarding the Town Attorney's opinion that a developer would be allowed to seek a waiver if the Town was requiring active open space under the Town's impact fee ordinance, and the developer would not have to pay that recreational impact fee.

Councilor Shepard noted two typo's with the first being on page 3, Section 3 – the sentence is missing "in" from "The subdivision shall be __ compliance." An additional typo was found in the last paragraph on page 4, in which the word "space" is missing from "It is intended that the open ____ shall be designed first..." Councilor Hartwell noted a typo under item g. on page 3, Section 2 – Prime agricultural land should technically be farm land, and farmland in the following reference should be one word: "farmland of statewide, and/or local importance." Councilor Hartwell noted an additional correction to be made under Sections 2 and 3 on page 2

– the reference of public ways and private streets are inconsistent with how the Town identifies them in other ordinances. Mr. Poirier confirmed that the correct references should be public street and private way; staff will apply all requested corrections.

Councilor Shepard asked Mr. Poirier if, for example, a developer has a duplex - does it need to be on two separate lots per the first paragraph on page 1, to which Mr. Poirier advised that a duplex does not need to be on two lots.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Hartwell and VOTED to send the proposed amendments to Chapter 2, Section 2-4 of the Land Use & Development Code, Clustered Residential Development, to the Town Council for their review at their next meeting. Unanimous vote.

- B. Review general updates provided by Town staff to the Employee Personnel Policy and make a recommendation (referred by the Town Council on January 7, 2020).

Town Manager Ephrem Paraschak advised that the Committee has been tasked with reviewing proposed amendments as the Employee Personnel Policy is technically an ordinance that the Town Council needs to vote on. HR Director Christie Young has been diligently working on proposed amendments for several months and Mr. Paraschak is now in the process of reviewing, and once done – he will then send the draft to Legal for review. Mr. Paraschak advised that 85 - 90% or more of the proposed amendments are more administrative changes - updating policies due to federal laws that have changed, etc.

Mr. Paraschak asked Ms. Young to reevaluate the existing telecommuting policy to look at allowing some positions with a limited scope to be able to work from home for improved employee retention, flexibility and reduction of staff in the office. The pandemic has proven that staff can work from home and be accountable. The intent of the changes to this policy is to allow a department manager to create a work from home program for part of the time, if feasible, with approval by the Town Manager and Human Resources and additional layers of accountability required.

An additional proposed amendment is to offer a small maternity or paternity leave to offer more benefits to the existing workforce and be more competitive with the private sector with hiring younger employees. Ms. Young shared that the provision would offer a lump sum of two weeks of sick time to a new parent to take time off and not have to exhaust all of their accrued sick time to essentially support new families. Councilor Wilder Cross asked if an employee could use additional accrued sick leave, to which Mr. Paraschak and Ms. Young replied “yes.”

An additional proposed change that Ms. Young explained was to the vacation accrual schedule, in which the threshold would allow employees to accrue additional time at five-year increments instead of at the beginning of the sixth year and 11th year.

Councilor Shepard asked if any of the proposed changes need to go before the unions, to which Ms. Young explained that because the union contracts are silent, the Town has the ability to make changes to the policy and expect the unions to abide by it. If there is an added benefit that only applies to non-union employees, unions have the ability to negotiate for that benefit.

Mr. Paraschak advised that staff intend to send the updated draft of the Employee Personnel Policy with proposed amendments in a week or two to the Committee with a memo and summary of all the changes to provide adequate time to review prior to the next meeting. Ms. Young shared that most proposed language changes stemmed from two years of trying to implement policies that were unnecessarily complex, so the intent was to simplify language and make it consistent with practices.

3. **Items Referred by Town Council to Committee for Future Meetings/Action**

4. **Other Business**

No items were discussed under 'Other Business.'

5. **Schedule next meeting and discuss agenda items for next meeting.**

The next meeting of the Committee is scheduled for Tuesday, August 18, 2020 at 8:00 a.m. The following items will be discussed at the next meeting:

- A. Review general updates provided by Town staff to the Employee Personnel Policy and make a recommendation (referred by the Town Council on January 7, 2020).
- B. Review adding requirements to the Land Use & Development Code requiring that taxes be paid before the issuance of permits and bring back recommendations to the Town Council (referred by the Town Council on July 7, 2020).

6. **Recent Items Sent to Town Council with Committee Recommendations**

- A. Review and propose amendments to Chapter 2, Section 2-4 of the Land Use & Development Code, Clustered Residential Development, and bring back recommendations for updates to the Town Council (referred by the Town Council on February 4, 2020).

7. **Adjournment**

There being no further business, a motion was MADE by Councilor Hartwell and SECONDED by Councilor Wilder Cross and VOTED to adjourn. Time of adjournment: 8:39 a.m.

Respectfully submitted,

Jessica R. Hughes, Executive Assistant