

Minutes of Charter Review Committee

August 8, 2018, Ritter Building

Call to Order at 7 pm

Present: Bob Ebersole (Selectmen), Jaime Toale (Selectmen), Nancy Gray (Community Representative) Heather Sroka (School Committee), Jim LaVeck (School Committee), Terri Burchfield (Finance Committee)

Absent: Michael-Ray Jeffreys (Planning Board), Mark Erickson (Finance Committee), Steve Archambault (Community Representative)

Public Comment: None

Minutes of June 13, 2018 and June 27, 2018 were unanimously approved.

Review of Non-Controversial proposed changes -- The committee walked through the language and commented as follows:

3.3 School Committee (b) Powers and Duties (1) insert "select" in place of "elect" superintendent. School committee has this on their agenda to review.

3.5 Cemetery Commission (b) Powers and Duties add the word "sole" just before "responsibility to make regulations"; delete the previously proposed words "who may delegate such authority." after "town manager". This is not needed as Section 4.3 authorizes the town manager to delegate whatever powers she or he has.

3.9 Board of Park Commissioners (b) Powers and Duties delete the previously proposed words "who may delegate such authority." after "town manager". This is not needed as Section 4.3 authorizes the town manager to delegate whatever powers she or he has.

3.14 Sewer Commissioners (b) Powers and Duties delete the previously proposed words "who may delegate such authority." after "town manager". This is not needed as Section 4.3 authorizes the town manager to delegate whatever powers she or he has.

4-2 Town Manager Powers and Duties (s) keep the proposed deleted language "related to infrastructure maintenance, improvement and expansion" but needs discussion with the town manager.

6-3 Submission of Budget and Budget Message – proposed language inserts the words "on the town website" of a general summary of the proposed budget in place of "in a local newspaper". Need to discuss with the town manager the cost of keeping notice in the local newspaper and other outreach tools; added at the end of 6-3 the sentence: "the summary of the budget shall be mailed with the warrant to households with registered voters as provided in the town by-laws.

8-5 This section is not needed as it is a duplicate of the first paragraph of section 8-2.

Review of substantive changes not controversial -- The committee walked through the language and commented as follows:

2-4 Second Town Meeting – Bob will talk with Town Counsel about how to meet the desire to have a standing second town meeting without confusing it with the annual town meeting and not requiring the higher standards of a special town meeting.

3-10 Planning Board – move the proposed language regarding appointment of the land use director to the Town Manager section.

3-10 Planning Board, 3-14 Sewer Commission still need more dialog regarding staff supervision.

4-1 Town Manager Search process. Need to talk with Town Moderator as the proposed changes make the committee an even numbered membership.

7-11 Enforcement of Charter and town general bylaws. As requested at the previous meeting, Bob distributed the working of MGL 231A Section 1 that details the process for enforcement.

Review of substantive changes considered controversial -- The committee walked through the language and commented as follows:

Based on the feedback of the public during our prior hearing and in consideration that the approval process is not all or nothing, these topics will be presented as separate articles at the spring town meeting. In addition, we will seek to have pro and con statements so that the voters will have information on both sides of the proposal.

Changing the name of the Selectmen to Select Board. As there are two new members of the committee, they were polled as to their current position on this topic. Both Jim and Heather said that they could live with either the current name or the proposed name.

Changing the Town Clerk from elected to appointed. As with the prior topic, the two new members of the committee were polled as to their current position on this topic. Both Jim and Heather said that they support that the position be appointed. Bob will gather information from the Secretary of State's office regarding this topic.

3-5 Cemetery, 3-9 Park and 3.13 Sewer – the committee will take out the previously proposed language requiring staying out of day to day administration, as in an attempt to clarify the section, the wording did not meet that standard.

3-7 Library – Bob will work with the Library and the Town Manager to get the language that meets what the Library wants but addresses the concerns of the Town Manager. It is noted that much of the current hiring has been done in a way to follow state law, and that will be incorporated.

4-2(c) –Residency requirement for town clerk if appointed – this language needs to be clarified so that it only applies to an appointed town clerk due to election requirements and not the other appointed officials.

5-3(d) (3) Division of Accounting - Town Accountant – the town accountant will continue to be an appointment of the Selectmen.

Review of items previously considered but not included in the draft charter -- The committee walked through the language and commented as follows:

1. Requiring a minimum number of signatures for a write in candidate where there is no candidate's name on the ballot. Bob distributed information previously provided by Carl and Phyllis Luck and it was decided to invite them to an upcoming meeting to discuss the proposal. It was noted that there may be an issue with a race with two open seats on a board and only one name on the ballot and how the proposed language would apply.
2. Ranked choice voting. In light of the multitude of candidates running for the Congressional seat and candidates stating that they may win with 19% of the vote, Bob noted this is a good opportunity to revisit this. We will invite someone in to discuss the topic.
3. Term limits. There was no interest in revisiting term limits.

Next Meeting: August 22, 2018. We will discuss scheduling and public outreach.

Meeting adjourned at 8:25 pm.