

Minutes of Charter Review Committee

11/28/2018

High School Collaborative Room

Call to Order: 7:02

Present: Bob Ebersole (Selectmen), Jaime Toale (Selectmen), Terri Burchfield (Finance Committee), Mark Erickson (Finance Committee), Nancy Gray (Community Representative), Steve Archambault (Community Representative), Tanner Cole (Planning Board)

Absent: Jim LaVeck (School Committee), Heather Sroka (School Committee)

Also present: Bill Tyler, Katie Adams, Heather Lemieux, Jack Rodriquez

Public Comment:

Katie Adams wished her thanks to Bob Ebersole for his role on the committee and for his service to the Town.

Bob Ebersole welcomed Tanner Cole to the Town as the new Planning Board Representative.

Minutes

September 12, 2018: approved

October 24, 2018: not ready

Cemetery Commission

Bill Tyler, Cemetery Commissioner, asked about our process; Bob explained upcoming public forums; Commission still has more work to do. Bill wants to know there are opportunities for more discussion; CC recommends adding the word “sole” to their powers and duties under section 3-5 (b), which mimics MGL; everyone seems on board with it; Bob said it is the current draft.

Section 4-2 (i): Town Manager has full authority; CC requests Cemetery have control of their buildings and be added to this section; Jamie clarified wording that currently states “except school committee and conservation commission”; discussion ensued about the rationale for this change; Heather said any building falls under procurement policy; cemetery account from sale of lots (revolving account); Bob explained prior policy of centralized responsibility; we could have a centralized policy; Jack said it’s about exclusive use of cemetery of this building and this goes against policy of DPW sharing resources; explained that cemetery resources have been stored in parks facilities; Bill Tyler argued, if we’re paying for it, we should have control over it; Bob explained that library is now centralized with DPW; Tanner Cole stated at the agricultural commission has the authority to own property; Bob Ebersol stated we expect two public hearings and more discussion in between to resolve the issue.

Other Committees

Park commission has discussed increasing to 5 members.

Appointment process timeline needs to be reviewed; town counsel has started their review; Steve Archambault said town moderator raised concern about timelines being more clear (how do you count days? Put it in definitions?), e.g., is it 30 calendar days or 30 business days; recommendation was made that we don't tie it to the schedule of Town Hall.

Heather Lemieux said she had attended some cemetery commission meetings; not aware that building and equipment would be paid for from sale of lots; wants town counsel to weigh in with respect to impact on personnel, e.g., snow removal and other DPW work.

Steve Archambault said that the Town moderator said section on TM removal looks good; sections on temporary moderator need be more clear; we agreed to see if he has language to propose; discussed deputy, subject to ratification by town meeting; could default to town clerk; Steve to speak further with Tim Murphy.

Feedback from Town Counsel

If fall is a regular meeting, can we follow requirements (number of signatures, 2/3 vote) of ATM rather than STM? TC has proposed language to have fall town meeting follow the rules of ATM; if it's truly STM, must follow rules of MGL.

Discussed items on process. Proposed changes should go to counsel after public hearing; if anything changes at a subsequent public hearing, it should be reviewed again.

Discussed wording of write-ins; at least 42 votes as of last count (may be higher due to high turnout at last gubernatorial election).

- ⇒ Steve Archambault moved we vote to recommend approval, Jamie Toale seconded
- ⇒ Discussion: number can fluctuate but it's the same as the number required outside the caucus; Bob told examples of less than 10 votes; if you got many votes but not enough, you put in for the position; Tanner Cole talked about missing the date for pulling papers and raised a concern with putting hurdles in front of people; since it's marked as a "red" change, it will be a separate article; Bob Ebersole said our vote is what should be changed in the charter.
- ⇒ 5 in favor, 2 nay (Tanner Cole, Terri Burchfield opposed); does not pass because we don't have a super majority; Terri might be willing to vote for a specific number; Jamie will speak with town clerk to determine what the new number is.

Draft Charter as of Nov 13

Not proposing adding term limits.

Not proposing ranked choice at this time.

Not proposing representative town meeting.

May want to vote again on other issues, given Tanner Cole is new and Bob Ebersole is leaving the committee.

Schedule

Dec 12 may not be doable for a public hearing because of not enough notice; Dec 26 meeting will not likely happen; Jan 9 should be publicized as a public hearing.

We should take new votes on Dec 12 to finalize current draft so we can include them in the public hearing; make sure we have a super majority; assign pro/con responsibility; provide these enough in advance.

Steve Archambault raised a concern about timeline, snow days, etc. Bob Ebersole said we could skip a topic on Jan 9 if we're not ready; Steve said we should be clear we expect any major changes by Jan 9; Steve raised again the definition of a week; Bob said it's pretty clear that we mean normal weekdays, irrespective of weekends and holidays; we agreed to clarify this in definitions.

Bob Ebersole said a draft report and charter had been posted at town hall, library and senior center.

Select new Chair

Bob Ebersole has expressed his thanks to the committee; he commented that the process is all or nothing if you have an elected body; if appointed, the process is different, so we are clear to recommend specific changes individually.

Jamie nominated Mark Erickson as chair and he declined; Bob suggested we wait until next meeting when we have both school committee representatives and a new selectboard rep.

⇒ Steve Archambault moved we postpone electing a new chair, Terri Burchfield second; all in favor.

Jamie as vice chair will arrange agenda and meeting location for Dec 12, when a new chair will be elected.

Next Meetings:

December 12; location TBD.

January 9; public hearing should be at an appropriate location.

Public comment:

Katie Adams commented on minimum write-ins: set a specific number; gave example that "appointment" would be much fewer people.

Members expressed their thanks to Bob Ebersole.

Adjournment: 8:06

⇒ Steve moved to adjourn, Terri seconded, all in favor