

**Charter Review Committee Meeting Minutes
Second Floor Conference Room, Town Hall
Wednesday, June 25, 2014, 7:00 p.m.**

PRESENT: Betsey Anderson, Polly Herz, Amy Lloyd, Joanna Nickerson, Michael Rosenberg, and Jan Shepard

ALSO PRESENT: Human Resources/Management Analyst Sarah Buhler

ABSENT: Anne Bickford, Steve Hagan, and Ed Pierce

Committee Chair Betsey Anderson called the meeting to order at 7:00 p.m.

1. Approval of minutes of June 11, 2014

Ms. Shepard made a motion to approve Minutes of June 11, 2014 as written. Ms. LLOYD seconded the motion.

The motion passed 5-0-1, Ms. Herz abstained.

2. Opportunity for public input to Charter Review process

No members of the public were present.

Ms. Anderson noted that she received a suggestion from Julie Turner that the length of a chairperson's term be reviewed. Ms. Turner proposed that lengthy terms should be prohibited. Although Section 5-6 of the Bylaws states that each committee should reorganize every year, some committees seem to retain the same chair year after year. A brief discussion then occurred regarding whether the term "reorganize" implies that there has to be a change in who holds the position of Chair.

In regards to explicitly assigning a term to the position of Chair, both a 2 year term and 3 year term were suggested. It was noted that for some committees, having to appoint a new chair every two years might cause a bit of chaos, therefore a 3 year maximum might be more appropriate.

3. Reports from Members

It was clarified that the memo dated July 29, 2009 from the Board of Health was provided again to the Charter Review Committee to indicate that the Board of Health did not think any changes should be made to the Board of Health portion of the Charter.

4. Finish Review of Charter

The Committee reviewed the Charter. Potential amendments identified include the following:

- Section 2-7: Add language to provide further clarification.

- Section 2-9: Add back language originally deleted pertaining to removing items from a consent article.
- Section 3-3: Potentially delete Town Manager and Town Counsel from the list of appointments as they are not an appointment of the same nature as the others listed under this section. They would be added to another Section.
- Section 3-3: Alphabetize list by office title.
- Section 5-1, J.: Add reference to M.G.L. Chapter 30B at end of paragraph to make it less clunky.
- Section 9-1: Potentially add a definition of the term “Qualified Voters” as the word “qualified” is used throughout the Charter to mean different things.
- Section 9-5: Add language to address the fact that some committees are exceptions to this provision.

A brief discussion occurred surrounding the possibility of the Town Moderator appointing a Deputy Moderator to regularly assist with the Town Meeting process. If the Town Moderator is not able to attend Town Meeting, the Deputy Moderator would be able to step in and serve temporarily as Moderator with the approval of Town Meeting.

The consensus of the committee is that it would be valuable to have a Deputy Moderator to assist the Town Moderator with Town Meeting. Ms. Anderson noted that she would do additional research about the Deputy Moderator in other communities.

Mr. Rosenberg made a motion to recommend revisions to Section 2-6, Clerk of the Town Meeting as amended. Ms. Herz seconded the motion.

The motion passed 6-0-0.

Ms. Lloyd made a motion to recommend revisions to Section 2-8, Petitioner’s Advisory Committee as amended. Ms. Nickerson seconded the motion.

The motion passed 6-0-0.

Previously, it was suggested that some language be deleted from Section 2-9, but Ms. Shepard pointed out that in an effort to simplify this section, she is fearful that the process is now unclear. After some discussion, the committee agreed to add back the original language pertaining to removing items from a consent article if an amendment is to be made at Town Meeting.

Mr. Rosenberg made a motion to recommend revisions to 2-9, Town Meeting Vote by Consent as amended. Ms. Nickerson seconded the motion.

The motion passed 6-0-0.

In regards to the question of how many potential members should be added to the Volunteer Coordinating Committee (VCC), the members of the Charter Review Committee discussed the merits of having a total of 5 members vs. 7 members and ultimately felt that having a total of 5 VCC members made more sense than 7.

Ms. Lloyd made a motion to recommend that Fence Viewers and Measurers of Wood, Bark, and Manure be deleted from Section 3-3, Appointments. Ms. Shepard seconded the motion.

The motion passed 6-0-0.

The Charter Review Committee then discussed the timing of distribution referenced in Section 5-3, The Warrant Report. Ms. Shepard noted that certain provisions in the Charter are required under State Law so that these specific items are consistent amongst all communities in Massachusetts. The timing of distribution of the notice along with the number of required signatures is stipulated by State Law but it appears that the method of distribution is not. It was suggested that this be presented to Town Counsel for a second opinion.

Ms. Llyod wrote a revision to the language of Section 8-1, Holders of an Elected Office May Be Recalled and Section 8-2, Affidavit, Petition, Preparation, and Filing. This revision was distributed to the committee for review. In Section 8-2 there was a question regarding how long the Town Clerk has to deliver the petition to the Registrars of Voters. Presently, there is no reference to any timing for this action. Ms. Shepard agreed to look into what State Law says in regards to Section 8-2. The committee members agreed to review the newly proposed revisions to these sections.

5. Proposed changes/issues submitted to committee – review

In terms of the request submitted by Carol Amick to revise Section 9-5 Voting of Boards, Commission, and Committees, the Charter Review Committee discussed the letter from Town Counsel on the topic. It was suggested that the following language be added to the beginning of Section 9-5: “Except as otherwise provided by Massachusetts General Law”.

Ms. Llyod mentioned that in regards to the Remote Participation recommendation to the Selectmen, it has been reported that the Selectmen have not received much formal feedback from committees. Ms. Anderson agreed to send an email to the Selectmen informing them of the Charter Review Committee’s position on the matter.

6. Adjournment

Ms. Lloyd made a motion to adjourn. Ms. Shepard seconded the motion.

The motion passed 6-0-0.

The meeting adjourned at 9:36 p.m.

Respectfully submitted,

Sarah Buhler
Human Resources/Management Analyst

Minutes approved as written July 31, 2014

Action Items:

- All Committee Members: Review 8-1 and 8-2.
- Ms. Shepard: Look into State Law regarding 8-2, qualified vs. registered voters.
- Ms. Anderson: Work on language regarding Deputy Moderator and submit email to the Selectmen regarding the committee's consensus pertaining to remote participation.
- Mr. Rosenberg: In regards to Section 3-3, research terms of HATS and HFAC members and whether the Town Manager and Town Counsel should be listed under this section.

Items to request of Town Counsel input:

- Section 2-7, Petitioner's Warrant Articles, confirmation as to whether the Town could change the number of signatures for a petitioner's article under Home Rule.
- Section 5-3, The Warrant Report, confirmation that the timing of distribution of the notice along with the number of required signatures is stipulated by State Law but the method of distribution is not.