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*By Town Clerk's Office at 4:26 pm, May 19, 2017*

Minutes of the Charter Review Committee (CRC) meeting on 3/28/2017

Attendance:

Present:

Doug Bruce

Dan Burke

Sam Chase

Valerie Diggs

David McLachlan

Sheila Pichette

Michael McCall arrived at 8:08

Absent

Glenn Thoren

7:02 Call to Order- March 28th

Approval of the February 28, 2017 minutes:

There was a short discussion for minor edits to clarify wording; motion to approve the minutes as amended made by Mr. McLachlan; seconded by Mr. Bruce, vote: 6 yeas; 0 nays; 2 absent

Updates:

There was an invitation extended to the Town Clerk however she does not believe she can make it until early May.

Mrs. Diggs also disagrees with Town Counsels recommendation to allow Mr. McCall to remain on the committee due to the fact that he was appointed by the Town Manager to the Committee and the appointed as Assistant Town Manager he cannot remain completely neutral.

Mr. Burke agrees and feels that it is a matter of perception.

Public Input:

Glenn Diggs- a member of the selectmen was present although not on behalf of the Selectmen. He questioned who has the power to ask Mr. McCall to recuse himself. It is understood that it is the appointing power. He also agrees that it is a matter of perception and offers the suggestion to visit another Town Counsel for a second opinion.

Mr. Chase feels that the appropriate place to continue this discussion would be best to be done at a Board of Selectmen Meeting as they are the appointing authority..

Review of existing charter:

Section 4-3: The subsections of this section have been reordered but will be relettered.  
There were no outside requests to make changes to this section.

Section 4-4: No changes were recommended.

Section 4-5: Discussion as to whether the new Assistant Town Manager position would cause this section to change. The committee feels that the wording is good because it allows the Board of Selectmen flexibility. There was a slight change to the wording at the end to clarify any confusion.

Section 4-6: There was a question posed to Mr. Diggs about a temporary Town Manager succession list provided to the Board of Selectmen but no one was aware that one existed. It was recommended by Mrs. Pichette to reorder 4-5 and 4-6, the committee was in favor of this.

Mr McCall arrived at 7:38.

There was a discussion about the difference between a vacancy and a temporary absence and if there would ever be a need for two people to fill a temporary absence rather than one before a permanent replacement is hired. The committee also discussed what to do if someone who is appointed to succeed the Town Manager is unqualified and what to do if someone isn't appointed.

Section 4-7: There was a discussion on what is needed for a suspension or a removal of the Town Manager and how the appointment process goes if he is suspended or removed. Mr. Chase will look to the MMA and Town Counsel about how the removal process compares to that of the surrounding towns and if the Town Manager's contract supersedes the town charter or not. The Committee decided to table this topic until more information is gathered and all of the members are present.

Section 5-1: No changes were made although there was clarification as to how far reaching the Town Manager's power is in terms of what committees are under his jurisdiction.

Section 5-2: Mr. Burke and Mrs. Diggs suggest that the last sentence concerning the Sewer Department should be combined under the DPW's activities and the last sentence should be taken out.

Section 5-3: The committee asked what the purpose of this section is and how the Personnel Board is a result of this section. The Personnel Board's powers were questioned and there will be follow up on what their responsibilities are.

Mr. Chase is going to reach out to the Town Manager to see if he has anything to say on the sections previously covered per recommendation of Selectmen Diggs.

Section 6-1: The committee discussed the role of the Finance Committee and how it plays a part in the tri-board meeting as well as the productivity of the tri-board meetings and the practicality of the time frame. The importance of the section was also discussed. The committee debated the roles of the School Committee and Board of Selectmen in relation to this section.

This section will be tabled and Mr. Chase will invite the Town Manager and the Superintendent to the next meeting to discuss this section.

Motion to adjourn made by Mrs. Diggs; second by Mr. Burke; vote: 8 yeas; 0 nays ; 1 absent.