

**Charter Commission  
Minutes of February 16, 2005 Meeting**

Called to order at 7:03 pm. Bill McRobert presiding. Present Daugherty, Irvin, Clark, Carver. Members of the public also present.

March meetings confirmed as 3/2, 3/16 and 3/30. Location of meeting on the 16<sup>th</sup> not certain.

Letter from Bob Bushway – do we discuss or give to BOS? No action taken.

Dept of Revenue has offered to come. Group decided that it would be better for the finance group to meet with them rather than us.

Letter from consultant in Canton. He assists Charter Commissions and has offered to meet with us. No action taken.

Charter Commission will remain in existence until 30 days after the election.

Responses read from e-mails regarding questions Marie had asked others.

**Started review of Charter:**

Section 3-1 (b) Eligibility. Nancy reported that according to our current by-laws a person may hold two offices simultaneously. Discussion ensued.

7:25 Herlihy enters meeting.

Motion to delete eligibility section 3-1 (b) and to revisit subject later when discussing Article 5 (Admin Org.) Unanimously approved.

7:30 Pratt enters meeting.

Section 3-1 – Filling of Vacancies –

Multiple Member Body – Nancy reported that there are currently no by-laws regarding time restrictions for filling of vacancies.

Board of Selectmen – This section is directly from MGL 41.10 Change reference from 100 voters to 200 voters.

Motion to accept wording (with changes noted above) of Section 3-1 Filling of Vacancies – sections 1& 2. Unanimously approved

Section 3-4 Town Moderator:

(c) – Change of wording to “The Town Moderator, Town Clerk and Chairman of the BOS shall appoint a Finance Committee...” Also add, “The Moderator appoints one person to the Capital Improvements Committee.”

(d) – Insert Bruce’s wording here for Assistant Moderator. Only change is to delete his first line “the Town moderator shall preside at all sessions of the town meeting” as this is already stated in section (b.)

Motion to accept wording (with changes noted above) of Section 3-4 – all sections.  
Unanimously approved.

Section 3-5 Hopkinton Housing Authority: delete reference to Clinton in section (b) and replace with Hopkinton.

Motion to accept wording (with changes noted above) of Section 3-5– all sections.  
Unanimously approved.

Section 3-6 Planning Board: delete line “except those powers and duties assigned by this Charter to the Town Manager.”

Motion to accept wording (with changes noted above) of Section 3-5– all sections.  
Unanimously approved.

8pm: Clark and Carver leave meeting

Section 3-7 Town Clerk. Add to section (b) 6<sup>th</sup> line - ....in the absence of the Town Moderator and Assistant Town Moderator...”

Section (c) Change line three from Select Board to Board of Selectmen.

Motion to accept wording (with changes noted above) of Section 3-7– all sections.  
Unanimously approved.

Section 3-8 – Board of Trustees – Mary to get proper wording for this section.

Section 3-9 Board of Assessors – delete last sentence in section (a) “Positions on this board...” Change reference in section (b) from 5-8 to 5-6.

Motion to accept wording (with changes noted above) of Section 3-9– all sections.  
Unanimously approved.

Section 3-10 Board of Health – section (a) change appointed to elected. Discussion ensued regarding changing the BOH from a three member board to a five member board. Pros were that a five member board would make it easier for the board to function and serve the public in the event of illness, resignation etc. Cons were that larger boards

allow members to discuss issues outside of meetings, possibly leading to more collusion among members.

Motion to change Board of Health to a five member board. McRobert, Daugherty, Irvin voted yes, Pratt voted no and Herlihy abstained.

Change wording of section (a) to “There shall be a Board of Health consisting of five members elected for terms of three years each, so arranged that the term of office of as nearly equal members as is possible shall expire each year.”

Section ( c ) Change to “The appointment of the..shall be made by the Board of Health. Delete final part of last sentence beginning with “and shall become....”

Motion to accept wording (with changes noted above) of Section 3-10– all sections Unanimously approved (with the exception of the number of members of the BOH. See separate vote above.)

Section 3-11 Parks and Recreation Commission: change section (d) to “The appointment of the..shall be made by the Parks and Recreation Commission. Delete final part of last sentence beginning with “and shall become....”

A discussion then ensued regarding just how much power we are going to be relegating to the position of Town Manager. The consensus was that appointments made by elected boards should most likely remain direct reports to the appointing board. However there is some serious concern regarding the creation of a Town Manager position, which carries a significant salary, that has very little real power. Board should consider adding Section 4-2 (p) from the Grafton Town Charter which describes the Town Managers duty to effect the coordination and cooperation among all agencies and boards of the town. Board agreed to continue this discussion once we get to Article 4.

Motion to accept wording (with changes noted above) of Section 3-11– all sections. Unanimously approved.

Section 3-12 Other Elected Officers.

Motion to accept wording of Section 3-12. Unanimously approved.

Meeting adjourned at 8:50 pm.

