

**Charter Commission
Minutes of March 2, 2005 Meeting**

Called to order at 7:07 pm. Marie Eldridge presiding. Present Clark, Carver, Pratt, Herlihy and Karlin.

Dr. Karlin resigns post as Clerk. Motion to appoint Beth Herlihy as Clerk. Unanimously passed.

Motion to approve Minutes from February 16th meeting. Unanimously passed.

Discussion of financial review process offered by the DOR in the letter from Rick Kingsley. Normally it would be the BOS who would be requesting this review. It can take 3-4 months to schedule the review which makes it not very useful to the Charter Commission. However we may wish to encourage the BOS to pursue this. Marie will send an e-mail to the town Assessor, Accountant and Treasurer asking for their input.

Letter from consultant in Canton. He assists Charter Commissions and has offered to meet with us. After brief discussion group decided not to pursue this.

Letter from Geri Holland requesting a joint meeting with the Charter Commission and the BOS to review our work to date. Group agreed to invite BOS to our March 30th meeting to discuss Article 4: Town Manager. Marie will send a draft of Article 4 in advance of the meeting.

March 16th meeting will meet downstairs at the Fire House. March 30th meeting will meet in our usual room at the Fire House.

Decision to send the Finance group Article 6 (Finance and Fiscal Procedures) and Article 5 – section 4 (Dept of Finance and Budget) once they are complete. Will then invite them to attend one of our future meetings.

Dr. Karlin submitted wording for Town Moderator section.

Review of handout on Elected/Appointed positions. Mrs. Pratt noted that the Board of Appeals has 3 alternates in addition to the 5 members. Also noted was the omission from the list of the elected positions the Town Trust Fund Commission and the Board of Health.

Mrs. Pratt reported that as the Town Library is independently run from the town there is no reason to include it in the Charter. Group is in agreement.

Started review of Charter:

Article 4: Town Manager:

Section 4-1 (a) Change 4th sentence to “He/She shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience to perform the duties of this office.” Delete 5th sentence regarding education requirements. Motion to accept wording of Section 4-1 (a). Unanimously approved.

Motion to accept wording of Section 4-1 (b). Unanimously approved.

Section 4-1(c) discussion of this section was tabled for the time being so that we can look into whether or not it is necessary to include.

Delete Section 4-1 (d)

Add new Section 4-1 (d) to read “The BOS shall provide for an annual review of the job performance of the Town Manager which shall, at least in summary form, be a public record. Motion to accept revised wording of Section 4-1 (d). Unanimously approved.

Change heading of section 4-1 to Appointment, Qualifications, Term and Review Procedures. Motion to accept wording of heading for Section 4-1. Unanimously approved.

8pm Dr. Karlin leaves meeting.

Request questions from members of the public present. Chris Diets comments that she would like to see us include in the Charter more rigorous qualifications for the position of Town Manager. Would like to see that a Masters Degree as a requirement. Carol Deveuve asked some general questions.

Section 4-2: Powers and Duties

Change wording of last sentence of introduction to “The powers and duties of the Town Manager shall include, but are not intended to be limited to the following:”

Section 4-2 (a) delete all “by’s” and change “officers” to “personnel.” Change “for” in first sentence to “of” and add “town” in front of bylaw. Motion to accept wording of Section 4-2 (a). Unanimously approved.

Add new section 4-2 (b.) Use wording from the Grafton charter, page 27, section 4-2 (p)

Section 4-2 (c) new wording “To appoint and remove, all department heads, officers and sub-ordinates and employees for whom no other method of appointment for removal is provided in the Charter, MGL or town bylaw. Appointments made by the Town Manager shall be filled at a regularly scheduled meeting of the BOS and shall become effective upon confirmation by a majority of the BOS.” Motion to accept wording of Section 4-2 (c). Unanimously approved.

Section 4-2 (d) delete “The Town Manager shall be the” and change to “To act as” Add “s” to Department Head and “the” before personnel.

Section 4-2 (e) change “Will” to “To”

Section 4-2 (f) change “officers and employees” to “personnel”

Section 4-2 (g) delete “except those meetings where the Town Manager’s removal is discussed.”

Section 4-2 (h) no changes

Section 4- 2 (i) change “officers and employees” to “personnel”

Section 4-2 (j) thru (l) no changes

Motion to accept wording of Section 4-2 (d) thru (l). Unanimously approved.

Section 4-3 Suspension and Section 4-4 Removal. Condense two sections into one Section 4-3 “Removal and Suspension” and use wording from the Bellingham Charter, page 12 Section 4. Change section 4-4-1 (b) from five days to seven days, change 30 days to 20 days and change 20 days to 3 days. Motion to accept wording of Section 4-3. Unanimously approved.

Section 4-5 Resignation: delete this section. Motion to delete Section 4-5. Unanimously approved.

Marie Eldridge instructs members to please come prepared to discuss appointment powers of the Town Manager at our next meeting.

Meeting adjourned at 9:30 pm.