

**Charter Commission
Minutes of April 20, 2005 Meeting**

Called to order at 6:05 pm. Marie Eldridge presiding. Present McRobert, Daugherty, Irvin, Clark, Carver, Pratt, Herlihy, Karlin.

BOS members Sonnett, Clark, Holden and Nelson also present.

Members of the public and press present.

Review of Elected Positions:

R. Clark concurs with the change from 3 member boards to 5 members.

BOS recommends a 5 member Board of Assessors.

Irvin was asked to comment on the Constables and suggested that all of them should be appointed by the BOS and the number should be determined on an as-needed basis.

McRobert suggested that one of the Constables be bonded and the one who posts the town warrant should be a town resident.

Pratt commented that she reviewed the Summary of Home Rule Charter Provisions and that it appeared that all Board of Assessors had 3 members. The Commission should verify if there are any statutes governing this.

Eldridge stated that McRobert had met with the Board of Assessors recently and we will be receiving his report shortly.

Review of Appointed Positions:

Accountant: R. Clark stated that this position should be appointed by the Finance Director. Sonnett wants to see some checks and balances in the Finance Dept and suggests that all of the financial personnel should not be hired by and report to the same person. Eldridge pointed out that all TM appointments must be approved by the BOS which offers a check. Herlihy suggested that the annual independent audit also offers a check. Eldridge asked the BOS what mechanisms are currently in place today that help the town to avoid fraud. BOS stated that there are none. R. Clark stated that the structure that the Commission is proposing appears fine but that we should give some careful consideration to the hiring process. Sonnett agreed that it is important that the Accountant, Treasurer and Assessor not all be hired by the same person.

Appropriations: Sonnett disagrees with our proposal and feels the current system gives broader representation. As the BOS meetings are all televised it also keeps the appointments in the public view. R. Clark and Nelson stated agreement with Sonnett. Nelson stated that the larger group offers more cross-examination.

Cable committee: R. Clark offered a general suggestion regarding appointments. He stated that it was important not to give the TM too much political baggage which would hamper his ability to perform his job. He suggested that all volunteer board appointments remain with the BOS and have the TM appoint town employees. Kozak stated his agreement with Clark's suggestion.

Conservation Commission agent: Kozak stated and BOS concurred that this position should be appointed by and report to the TM.

DPW Director: Sonnet suggests position be appointed by BOS but report to TM. Kozak suggests that the position be hired and report to TM. Sonnett revised position and agrees that the position be hired and report to TM

DPW Advisory: Ad Hoc committee therefore should be appointed by BOS.

Sonnett explained that the Water & Sewer commission is a function of the BOS. He stated that it should remain this way. The town voted a few years ago to have an elected DPW advisory committee but it is still in the state legislature and has not been acted upon. The Charter, if passed, will supercede any pending legislation.

Earth Removal agent – leave with the planning board

Economic Development commission – Volunteer so leave with the BOS

Emergency Mgmt Officer – BOS agrees it should be wrapped into the fire chief's job

Executive Secretary – BOS agrees it should be changed to a Town Manager

Facilities Board – Ad Hoc – delete from list

Add to list Facilities Director and have it appointed by TM.

Fence Viewer & Field Driver – BOS agree to have TM appoint.

Forest Fire Warden – BOS agrees to wrap into Fire Chief's job

Historic District Com and Historical Commission – Volunteer so leave with the BOS

Hop Community Access & Media – Ted to check contract

Hop Cultural Council – BOS agrees to leave as is

Hop Tax Relief Fund Committee – Ted to check – might be set by state legislation

HR Director - BOS agree to have TM appoint.

Housing committee – Ad Hoc – delete from list

Inspector of Animals – BOS agree to have TM appoint

MAPC - BOS agrees to leave as is

Marathon Committee and Marathon Fund Comm - Volunteer so leave with the BOS

Municipal Coordination - BOS agrees to wrap into Fire Chief's job

Open Space Preservation - BOS agrees to leave as is

Parking Clerk (Geri Holland) – BOS agree to have TM appoint

Pks & Rec Director - R. Clark suggests that we approach individual boards regarding employees that work for boards. If board is elected the employees should remain appointed by the boards, but there should be a dotted line to the TM. The TM should be involved in the salary and performance review.

Ted stated that he believed that the TM should hire all board agents.

Holden – P&R Director should work for the TM.

Sonnett- Stated we should go with the recommendations of the individual boards

Ted said that we should consider the creation of a “Director of Community Development” position that would be responsible for planning, economic development, grant writing.

Question was put to Nancy Peters who is the Chr of the Board of Health her opinion regarding who should appoint the Health agent and how she would feel regarding having the agent have a dotted line to the TM. Mrs. Peters said she would want to read how we word this. She feels that input from the TM is fine but the TM should not have authority over the agent. She said the agent should have only one boss.

Ted agrees that agent should have only one boss. After long discussion it was agreed that we need to ask for input from the Parks and Rec Board.

Person to cut wires – BOS agrees to have position report to the Fire Chief

Personnel Committee - BOS agrees to leave as is (stay with BOS)

Planning Director - BOS agrees to leave as is (stay with Planning Board)

Plumbing and Gas Inspector – BOS suggests that position should be appointed by the Director of Inspectional Services

Asst, plumbing & gas - BOS suggests that position should be appointed by the Director of Inspectional Services

Public Health Administrator - - BOS agrees to leave as is (stay with Board of Health)

Public Weighers – Ted & BOS suggest that position should be appointed by the Director of Inspectional Services

Recycling Committee - Volunteer so leave with the BOS

Regl Voc Tech High - Volunteer so leave with the BOS

Registrars of Voters – BOS states this is highly political so leave with BOS

Sealer of Wts/Measures - Ted & BOS suggest that position should be appointed by the Director of Inspectional Services

School Superintendent - BOS agrees to leave as is (stay with School Committee)

Surveyor of wood, bark, and lumber - Ted & BOS suggest that position should be appointed by the Director of Inspectional Services

Tree Warden - BOS agrees to leave as is (stay with DPW Director)

Wiring Inspector - Ted & BOS agree that position should be appointed by the Director of Inspectional Services

Asst Wiring Inspector - Ted & BOS agree that position should be appointed by the Director of Inspectional Services

Youth Commission – established by by-law. Volunteer so leave with the BOS. Note School Comm is not involved.

BOS requests that it be on our May 11th agenda to discuss other aspects of the Charter, particularly the Recall Provision. Will arrive at 6pm.

Questions from the public:

Muriel Kramer suggests that we educate the public on the amendment process. Also asks if the Financial Director position will be involved with the review of the Enterprise Funds. Suggest that we ask the town's current financial group for suggestions on how to capture this.

Nancy Peters stated her concerns regarding changing the BOH from 3 to 5 members. She said that is currently very hard to even fill the 3 positions. Sonnett says he disagrees that it will be a problem getting people to run. Mrs. Peters asked how will vacant positions be filled. Charter Commission members responded that we have yet to complete the wording on how vacancies will be filled for all elected boards. Herlihy stated her opinion that BOS not be involved in appointments to independently elected positions.

BOS exit meeting.

McRobert stated that he met with the Board of Assessors and they were not in favor of having the Principal Assessor be appointed by the TM. They wanted to see how we would be wording any dotted-line authority. McRobert also added that based on what he heard at tonight's meeting he would not be in favor of recommending to the Board of Assessors that they should give up their appointment authority, as it appears that all the other elected Boards will be keeping their appointments.

Discussion of April 6th minutes. Dr. Karlin voiced his objections to referencing Commission member's late entrances or early departures in the minutes. Commission voted in favor of keeping references. Commission voted to move the April 6th minutes as written.

9pm – Meeting adjourned.