

Charter Review Committee Meeting Minutes June 6, 2016

Members present: Chair Roberta Soolman (Roberta), Vice Chair Ken Rush (Ken), Steve Greenberg (Steve), Joe Magnani (Joe), KG Narayana (KG), Secretary Betsy Emberley (Betsy).

Absent: Alexis Christopher (Alexis)

Guests: None

Call to Order: 7:00 pm

1. Welcome and Introductions: Roberta welcomed everyone.

2. Approval of minutes:

- A motion was made by KG, seconded by Steve and voted 5-0-0 (Betsy was not present for vote) to approve the minutes of December 10, 2015 minutes as amended with the following edits:
 - KG Narayana was added as present at the meeting.
 - KG made the motion to adjourn at 9:15 p.m., it was seconded by Steve Greenberg and voted 6-0-0 to adjourn (Joe Magnani left the meeting at 8:00 p.m. and was not present to vote).
- A motion was made by KG, seconded by Steve and voted 5-0-1 (Joe Magnani was not present on December 16, 2015 and could not vote) to approve the minutes of December 16, 2016 with the following edit:
 - The date of the meeting was corrected from December 16, 2016 to December 16, 2015.
- A motion was made by KG, seconded by Steve and voted 5-0-1 (KG Narayana did not vote because he was not present on January 11, 2016 and could not vote) to approve the minutes of January 11, 2016 with the following edit:
 - Charter Review Committee 2015 was corrected to Charter Review Committee 2016.
 - The date of the meeting was corrected from January 11th, 2015 to January 11th, 2016.

3. Research reports from members and preparation for June 8 visit from Michael Ward of the Collins Center

Roberta asked each member to report on his/her research. Each report was followed by discussion and the committee's generation of questions for Michael Ward.

a. Town Meeting – Ken Rush:

Steve would like the Charter Review Committee (CRC) to start the discussion about the town's form of government and suggested that some sort of committee continue the discussion after the CRC completes its work. Roberta was concerned that doing so would imply that the CRC did not complete its work.

Discussion ensued about Town Meeting issues, civics classes that used to exist for 7th and 8th grade and ways to encourage more civic participation in discussions, at committee meetings, at public forums and hearings and in elections, especially because so many seats are uncontested.

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Joe mentioned that Natick included their entire School Committee budget in the annual town budget. Ken suggested that such a requirement could be put in the Charter.

b. Elected Officials – Steve Greenberg:

Steve had questions for Michael Ward:

- A good example of charter language that gives you the authority to appoint or unappoint a committee/board/commission member and language for a Code of Conduct.
- Whether or not members of the Board of Selectmen can serve on entities over which they have appointing authority, can they serve as ex officio (hold the position by virtue of the fact that they are a member of the Board of Selectmen), can they serve as ex officio with or without a vote.

Steve would like the Board of Selectmen to have the power to rescind appointments. Discussion ensued. Steve's state ethics document was discussed.

c. Recall of Elected Officials – Roberta Soolman:

Roberta reviewed the charters for seven towns (Bedford, East Longmeadow, Franklin, Hopkinton, Medfield, Natick and Sturbridge) and distributed a chart with a summary of how each charter deals with various provisions for the recall of elected officers. While a lot of the language was similar, the procedures did differ with regard to:

- Number of percentage of voters who must sign recall petition and participate in recall election
- Limits on a recall (how soon after someone's elected, how close to the end of their term)
- Whether there is a recall election or Board of Selectmen (Sturbridge) or Town Council (East Longmeadow) can fill vacancy created by a recall
- Whether a challenge to the recall petition can be filed (Bedford) and whether the officer being recalled can request a hearing (Bedford)

Question was asked if Ashland ever had a recall. Joe remembered someone 15-20 years ago that resigned before he was recalled. Ken said that recall elections are expensive so we wanted it to be difficult to implement. Roberta would like to ask Michael Ward what would be appropriate reasons for a recall and if he has a template for recall language. Discussion ensued. Roberta read excerpts from a document from Concord about why they were against recalls.

d. Town Moderator – Alexis Christopher

Discussion was deferred since Alexis was absent.

e. Human Resource System – Roberta Soolman

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Greg Enos, Ashland's new Human Resources Director, provided approximately 16 policies with dates they went into effect. Roberta distributed a list. The School Department doesn't have an HR department. Ken said the whole Human Resources section in the Charter needs to be rewritten since it is no longer accurate.

Another question for Michael Ward is whether towns usually have one HR department for the town side and school side.

f. Finance Committee – Alexis Christopher

KG distributed an article on Finance Committee structure and functions. Further discussion was deferred since Alexis was absent.

g. Code of Conduct – Steve Greenberg and Joe Magnani

Joe distributed a draft Code of Conduct that he created by doing research on codes in other towns and states. Steve distributed material from the State Ethics Commission regarding what members of the Board of Selectmen can and cannot do. Questions for Michael Ward are whether a Code of Conduct should be referenced or included in the Charter, can it be used as a basis for recall if an elected does not comply or to rescind an appointment if an appointed individual does not comply.

h. Questionnaires for Residents, Town Staff, and Members of Committees, Boards and Commissions

Michael Ward will be asked to review our questionnaires, recommend changes and comment on the advantages of an online survey.

5. Next meeting: June 8

Motion to adjourn made by KG, seconded by Ken and voted 6-0-0.

Minutes taken and submitted by:
Betsy Emberley, Secretary

Documents distributed and/or discussed at meeting:

1. Excerpts from the following: Ballotpedia.org; Representative Town Meeting – An Alternate Option for New Hampshire Town Governance, New Hampshire Town and City, May 2010, C. Christine Fillmore; Representative Town Meeting Study Committee Report (Town of Westford – August 28, 2008)
2. List of communities, 2010 population and form of town meeting (prepared by Ken Rush)
3. Comparison of Charter Process to Recall Elected Officials (prepared by Roberta Soolman)
4. List of Human Resource Policies forwarded by Greg Enos, HR Director
5. Excerpt from State Ethics Commission document regarding limits on activities by members of the Board of Selectmen
6. Chapter 3 entitled The Finance Committee: Structure and Functions (a Massachusetts document; source unknown at present)
7. Draft Code of Conduct (prepared by Joe Magnani)
8. Town Governance Study Committee – Preliminary Position on Recall Provision for Town Charter (Town of Concord – May 1, 2014)

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9. Town of Ashland Organizational Chart
10. Excerpt from letter to Town of Belmont dated October 14, 2015 and email to Town of Wellesley representative dated October 9, 2015 from Cheryl Sbarra, Senior Staff Attorney for the Massachusetts Association of Health Boards