

Charter review Committee Agenda

MONDAY January 13, 2020 6:30 PM ROOM 24, MEMORIAL TOWN HALL

- I. Call meeting to order**
- II. Roll Call**
- III. Approval of minutes**
 - A. Minutes of January 6, 2020**
- IV. New Business**
 - A. Review and discuss Charter, By-Laws, Open Meeting Law and other documents in order to construct a plan of action to accomplish this committee's charge.**
 - B. Review and discuss any other items or documents members feel appropriate with regard to review of Charter.**
 - C. Review and discuss agenda and proposed action and discussions for meeting of 01/27/2020.**
 - D. Possible vote on recommendations re Charter**

SEE ATTACHED APPENDIX

- V. Any other business**
- VI. Adjournment**

Appendix for 1/13/2020

Section 2-4 Town Meeting & Special Town Meeting Warrants

- (a) In General** – Every town meeting or special town meeting shall be called by a warrant issued by the Select Board. The warrant shall state the time and place of the meeting and, by separate articles, the subjects which are to be acted upon.
- (b) Initiation of Warrant Articles** – The Select Board shall receive all petitions which are addressed to it and which request the submission of a particular subject matter to the town meeting. These submissions may be submitted by:
 - (1) Any multiple member body acting by a majority of its full membership;**
 - (2) Any ten voters for the Spring or Fall Town meetings, or any one hundred voters for any special town meeting; or**
 - (3) Any other person, persons or town agency as may be authorized by by-law.**

(c) Form of Warrant Articles –

- (1) All article requests shall be in writing but they do not need to conform to a particular style or format.
- (2) Blank petitions are available at the Select Board office.
- (3) Each request for a particular subject shall be submitted on a separate petition.

(d) Time Requirements –

- (1) The Select Board shall decide by majority vote on the articles to be placed on the warrant for the Spring or Fall town meeting, however;
- (2) The subjects submitted to the Select Board pursuant to clause (2) or clause (3) of subsection (b) shall be placed on the warrant for the Spring or Fall town meeting automatically, without approval required by the Select Board.
- (3) The subjects to be placed on the warrant for the Spring or Fall town meeting shall be placed on the warrant not later than 45 days before the date fixed by law on which the meeting is scheduled to convene.

(e) Publication of Town Meeting Warrants –

- (1) Within three business days following the date the warrant for any town meeting has closed, the Select Board shall cause copies of such warrant to be posted in each precinct of the Town and shall deliver, in hand or by registered mail, a copy of the said warrant to the town moderator, the town clerk and to the chair of each committee established by section 2-5.
- (2) Not less than fourteen days before any town meeting, the town clerk shall publish the warrant for such town meeting, in full, in the following locations:
 - i. In a local newspaper, both in electronic and paper format;
 - ii. On the bulletin board outside the town clerk's office;
 - iii. On the town website; and
 - iv. On a Wareham community local access television station.

(f) Special Town Meeting –

- (1) Whenever the Select Board shall determine it to be necessary to call a special town meeting, it shall give public notice of such intent, in full, by publishing in all the same locations identified in clause (2), subsection (e) above.
- (2) All petitions for inclusion of subjects, as provided in subsection (b) above, in the special town meeting warrant which are received in the Select Board office prior to five o'clock p.m. on the second business day following such publication shall be included in the warrant for such special town meeting. A longer period may be authorized by by-law designed to implement the provisions of this section.

(a) Appointment to Committees

Unless noted elsewhere in the Charter, members of any committee established with the primary purpose to perform a legislative function shall be appointed by the Town Moderator. The Town has the authority, by direct vote, to determine that certain members of particular committees shall serve by virtue of another office which they hold. This authority may not be used to defeat the clear intent of this provision.

The following Committees are permanent committees of the Town.

(b) Finance Committee

Appointing Authority – The Town moderator who shall be Chair of the Appointing Authority, the Chair of the Select Board, and the Chair of the Finance Committee.

Membership – The number of members, the term of office and further conditions of appointment and service shall be provided by by-law.

Duties –

1. Review and study all articles contained in the warrant for an upcoming town meeting.
2. At a time fixed by by-law and prior to Town Meeting, report its recommendations on each article in the warrant in a manner determined by by-law.
3. For any articles in the warrant which would require raising of funds by borrowing (except in the case of tax anticipation notes – or short-term debt security? - as provided in the Massachusetts General Laws, Chapter 44, Section 4), a public hearing shall be held by the Finance Committee on each such warrant article. The Committee may choose to hold other public hearings for Town Meeting warrant articles.

(c) Planning Board

Appointing Authority – The Town moderator who shall be the Chair of the Appointing Authority, the Chair of the Select Board, and the Chair of the Planning Board. The Town may, by by-law, provide other conditions regarding such appointments.

Membership – The Board shall consist of five members, each of whom shall serve for a term of office of three years. The appointments shall be arranged, as possible, so that the term of a nearly equal number of members shall expire each year.

Duties –

1. Review and study all articles in the Town Meeting warrant which relate to land use, land regulation, land development, planning, zoning, subdivision control and similar and related matters.
2. At a time fixed by by-law and prior to Town Meeting, report its recommendations on each article in the warrant in a manner determined by by-law.
3. Other powers, duties and responsibilities as provided by general laws, by by-law or by other Town Meeting vote.

(d) Capital Planning Committee

Appointments–

1. The Town Accountant and the Town Administrator shall serve by virtue of their offices;
2. One member shall be appointed by and from the Planning Board;
3. One member shall be appointed by and from the Finance Committee; and
4. The remaining three members shall be appointed by the Appointing Authority who shall be the Town Moderator who shall be the Chair of the Appointing Authority, the Chair of the Select Board, and the Chair of the Finance Committee. The Town may, by by-law, provide for other conditions regarding these appointments.

Membership – The Committee shall consist of seven members and shall serve terms as follows:

1. Members from the Finance Committee and the Planning Board shall each serve for a term of one year.
2. The remaining members shall serve for a term of office of three years. The appointments shall be arranged, as possible, so that the term of a nearly equal number of members shall expire each year.

Duties –

1. Review and study all articles in the Town Meeting warrant which relate to capital expenditures, as that term may be defined by by-law from time to time.
2. At a time fixed by by-law and prior to Town Meeting, report its recommendations on each article in the warrant in a manner as may be determined by by-law.
3. Be responsible for the development of a capital outlay program as provided in Section 5-7.

Section 4-1 Amend the first sentence to read as follows

The board of selectmen with the agreement of 4 members, a super majority, shall hire a town administrator and negotiate a contract for a term not to exceed three years: said contract to be renegotiated six months prior to the termination of the existing contract with the agreement of a super majority of the members of the board of selectmen. The town administrator shall be hired solely on the basis of his executive and administrative qualifications.

Therefore the sentence “The office of the town administrator shall not be subject to the consolidated personnel by-law, if any.” Shall be stricken.

The last sentence of this section shall read “ The board of selectmen may, from time to time, establish such additional qualifications as seem necessary and appropriate.”

Section 3-8

Second sentence shall be amended to read “ Four of these members shall be chosen by ballot; the fifth member shall be a town resident appointed by the selectboard, in the manner provided by law.”

There will be discussion and comments on a section known as **Summary of articles**, being reworked by a member of this committee.

There will be discussion and comments as well as a possible vote on section **3-5 Board of Assessors**, being reworked by a member of this committee.

There will be discussion and comments as well as a possible vote on **Section 3-3 School Committee**, being reworked by a member of this committee.