

**THE TOWN CHARTER SUBCOMMITTEE
MINUTES
JULY 15, 2009**

Meeting was called to order at 7:45 pm.

Members Present: Councilor Doak, Councilor Zollo and Councilor Whalen

Also Present: Town Administrator Jeff Nutting and Town Attorney Mark Cerel

Motion: by Councilor Zollo to elect Councilor Doak as chair.

Seconded: by Councilor Whalen

Vote 3-0.

The Town Administrator handed out information provided by the Town Treasurer and Town Clerk.

The Town Administrator suggested a section-by-section review of the Town Charter, and to review the Charter Review Committee's recommendations, as well as the comments or concerns of others, that were attached to the report.

- 2-1-1 Questions on what "corporate powers" means. - Town Administrator to investigate.
- 2-1-2 Discussion about staggered terms. - The pros and cons of keeping the current system, versus annual elections in the spring, with three-year terms. Some discussion that the system is not "broken", but whether more candidates would run, and more citizens would vote if the election were held in the spring. No recommendation at the meeting. To be discussed at next meeting.
- 2-1-4. Agreement to delay taking office until the time-line for filing a recall has passed. - Town Administrator to investigate whether it is fall or spring elections. Language to change once information is provided to the Committee.
- 2-3-1 Add language that allows the Town Council to reorganize itself during the year, by a 2/3 vote of the entire body.
- 2-3-2 Change "maintain a journal", to language that reflects the responsibility to maintain records in accordance with the Open Meeting Law.
- 2-4-1 Discussion in relationship with 4-2-1- Defining the Chief Executive Officer. Currently, Franklin does not have one. Need to investigate and define role. Further, potentially refine role of Council to act on certain matters, i.e. liquor licenses.

- 2-4-2 Will check language - Town Attorney to review.
- 2-4-3 Change language to state that the Council shall keep minutes and other records in accordance with M.G.L. Chapter 39 § 23b, *Open Meeting Law*.
- 2-5-1 Change twice a month to once a month, and the 24 hours to 48 hours. Eliminate the last sentence and put references to open meeting law in 2-5-3.
- 2-5-3 Change to reflect requirements of the open meeting law, and maintain last sentence.
- 2-6-4 Add at the end, resolution or other action.
- 2-6-5 Change journal to minutes.
*NOTE- Maybe we should have just one section that states that the Council will follow the open meeting law, instead of having it in several places.
- 3-1-1 Discussion on the election v. appointment of Assessors and Board of Health.-
Appointed position may attract more folks to volunteer, that may not want to run for office. No decision.
- 3-1-2 Agreement with Committee to appoint the Treasurer. - Discussion about the Town Clerk and constables. No decision.

Meeting Adjourned at 8:40 pm

Respectfully submitted by:

Jeff Nutting