

Town of Sturbridge

Charter Review Committee

Meeting Minutes, December 8, 2015

Meeting convened at 6:35 pm in Veterans' Memorial Hall of the Town Hall by Chairperson William Haggerty. Present: Bruce Boyson (BB), William Haggerty (WH), Sandra Gibson-Quigley (SG-Q) and Laurance Morrison (LM). Absent: Paul Zapun. Attending: Tree Warden and Sturbridge Tourist Association (STA) member Tom Chamberland (TC), STA Chairperson Brian Amedy, Recreation Director Lynne Girouard (LG) and Veterans' Director/Services Director Timothy Hickey (TH).

WH obtained Committee oral agreement to review the minutes of the previous meeting following discussion with the attendees, who were each invited to present their respective views on the Charter in relation to their own Town duties and activities. The ensuing discussion disclosed:

TH spoke of a new state requirement for officeholder certification; and

LG, asked whether continued election or, instead, appointment was preferred for her members, stated that election was preferred; and

TC noted the origins of the Tree Warden Advisory Committee which, he pointed out, has counterparts across the state/he welcomed to work with/ and, now, is inactive (later discussion among only the Charter Committee members, following the attendees' departure, delved into the details of the initial Tree Warden Advisory Committee for the purpose of rounding out individual member understanding). TC also acknowledged the Tree Warden Advisory Committee's appointment process in relation to the Town Administrator and Board of Selectmen; and

TC mentioned the seeming duplication and/or overlapping responsibilities of the Parks & Recreation Committee, Tree Warden, Tree Warden Advisory Committee, Recreational Trails Master Plan Steering Committee, Trails Committee, Town Common Study Committee, Conservation Commission, Open Space Committee, Department of Public Works and Lakes Advisory Committee with respect to maintenance and beautification; and

BA, in reply to a Charter Committee member's query, explained that the STA comprises two representatives from the hotel industry, two residents, one Selectman and one Planning Board member (in rotation, singly, with a member each from the Parks & Recreation Committee and Finance Committee.

WH and LM spelled out the scope and level of specifics that the Charter covers, adding that the Town bylaws, job descriptions, workaday assignments and incidentals fit the topics covered in the attendees' discussion (except for the matter of election or appointment of Parks & Recreations Committee members). They also said that the Charter Commission would deliver, in addition to presenting

recommendations on the Charter itself to the Town Administrator and Selectmen, a comprehensive memo on subjects, like those covered in this and any of its other meetings, that it deems worth official attention for possible action separate from the realm of the Charter.

With the thanks of the Charter Committee, as expressed by WH, the attendees departed.

BB distributed his first draft of a rewrite of Charter sections 5-4 and 5-5, which stems from his accepted offer in this Committee's November 18, 2015, meeting to do so. SG-Q moved, LM seconded acceptance of the draft for reference when the final text review is done. Passed 4-0. BB said that he would examine Article 1F with an eye toward drafting a revision, and the Committee concurred.

WH resumed a line-by-line reading of the Charter text, and the members offered analyses and observations in a roundtable-like manner, thus:

LM on 7-1/3rd paragraph's reference to maintenance of recreation areas by the Department of Public Works and the extra-Charter responsibility of the Parks & Recreation Committee for that same activity; and

SG-Q and LM on the sometime use of "majority vote," or not, with respect to action by the Board of Selectmen to confirm appointments (6-5 .1 contrasted with 7-2, for example), and it was agreed that the word majority should be omitted; and

BB on 8-2, reworded to clarify, which will be made manifest in Committee's subsequent final wordsmithing; and

LM on 8-4, reworded to clarify, which will be made manifest in Committee's subsequent final wordsmithing; and

SG-Q and LM on 8-5/2nd paragraph for clarification on the risk of an undue time lapse as to the date of a regular election and the date of the Town Clerk's certification that establishes the effective date of revisions voted; and

SG-Q and LM on 8-5 3rd/paragraph on "shall" recommend changed to "may" recommend and other rephrasing to be made manifest in Committee's subsequent final wordsmithing; and

BB on 8-6 to redraft with respect to submission to the Town Clerk of a letter of resignation and the 24-hour provision, potentially arising when the letter is undated; and

BB, SG-Q, WH and LM on omitting Article 9-2 (except 9-2B) as an artifact of a transition, approximately 20 years ago, when a fundamental and sweeping change in the Charter pointed to the need for a bridge ensuring continuation of government and of the retention of the then holders of elected and appointed officers in their respective positions, as evidenced by the terms "heretofore" and "henceforth."; and

BB to draft language drawing upon 9-2B, 9-3 and 4-1, with particular respect to elected and appointed officers.

The first line-by-line reading of the Charter was completed.

BB agreed to send as a package the various drafts that he will undertake, rather than present them one by one.

WH introduced LM's suggestion that the Committee consider whether to compose a non-legally binding preamble to the Charter. It was agreed that LM will provide, in due course and at a timely moment, a draft preamble for the Committee's review and decision.

SG-Q moved, BB seconded a motion to adjourn. Passed 4-0 at 8:51 pm.

Respectfully submitted,

Laurance Morrison, Clerk