

Town of Sturbridge

Charter Review Committee

Meeting Minutes, March 9, 2016

Meeting convened at 6:36 pm in Town Hall by Chairperson William Haggerty. Present: William Haggerty (WH), Sandra Gibson-Quigley (SG-Q), Bruce Boyson (BB), Paul Zapun (PZ) and Larry Morrison (LM).

SG-Q moved, PZ seconded a motion to accept of the minutes of March 2, 2016, as submitted. Passed 5-0.

WH reported his retrieval of the two boxes placed, one each, in Town Hall and the Library, for receipt of ideas, thoughts, notions, comments, complaints, observations and suggestions from the public, with respect to the Charter, and that none was received; further, he stated that if any such submissions had been received, each and all would have been noted, in full, in the permanent record of the Committee.

BB, WH and LM, who attended a meeting at Town Hall at 2:30 pm March 9, 2016, with the Town Administrator and the Town Clerk, reported the discussion as aimed at establishing a procedure for reconciling and, then, maintaining as current the various extent lists of elected and appointed officials as well as summary descriptions of the respective functions of boards, committees and commissions, both standing and ad hoc. The underlying purposes of that discussion were to provide to the Town an accurate, complete and readily updateable master list and, equally, to ensure the inclusion of an appropriate extract of such a list in the Charter. The names of incumbents appearing in one or another of the lists reflect the inevitable slow motion change, over time, which stems from appointments and elections, that is, departures and arrivals of incumbents.

The Committee resumed its word-by-word double-checking process of previous textual adjustments, beginning at Section 4-9. It was recognized that the current Section 5-5 is being recast by BB and repositioned and labeled as Section 5-4, subject to Committee review.

The Committee, mindful as it was of a matter raised by the Fire Chief in its meeting of February 3, 2016, examined Section 5-3(B) and Section 6-2. The matter raised involves the statutory so-called "Strong Chief" status, or otherwise, of the Fire Chief's appointment, and by implication, that of the Police Chief. (In a separate discussion at the meeting at 2:30 pm March 9, 2016, referred to above, the Town Clerk and the Town Administrator consulted statutes and Town documents and found that: The Town, at its Annual Town Meeting on March 14, 1949, adopted the "Strong Fire Chief" provision in MGL Ch. 48, Sec. 42, and on March 13, 1972, adopted the "Strong Police Chief" provision in MGL Ch. 41, Sec. 97. Also in hand were the Town Administrator's memo dated May 19, 2015, to the Selectmen, in response to the Selectmen's request, issued at its immediately prior meeting vis-à-vis May 19, 2015, for a report on the Town's current status with the "Strong Chief" law; also in hand were both the Fire Chief's memo to the Town Counsel, dated December 30, 2014, with respect to his own authority in relation to that law, and the Town Counsel's reply, dated January 8, 2015, stating that wording of the current Charter overrides the previously voted "Strong Chief" provisions, because of likely unwitting revisions made by a prior

Charter Review Committee or Charter Review Commission, and then adopted by vote of the townspeople.)

In the Committee's own meeting on March 9, 2016, SG-Q moved, PZ seconded a motion acknowledging the policy character of the subject of "Strong Chiefs," which, when resolved by the Selectmen, will be expressed in the final draft of the Charter. Passed 5-0.

Recognizing the Town Administrator's view that the Committee's final recommendations and its separate co-relative memo of findings concerning information it accumulated, which fall outside the scope of its assignment, can be delivered at a Special Town Meeting, perhaps in the Fall of 2016, or, even, at the 2017 Annual Town Meeting, but with the prior knowledge of the Town Clerk, the Committee set its meeting schedule accordingly. WH will confirm with the Town Clerk and the Town Administrator the schedule and the timing of delivery of the Committee's work product. The Committee welcomed the opportunity to pursue its assignment in an expanded timetable because it affords the capability for careful, detailed and thorough attention to the dovetailing of the nuance, complexity, consistency and consequence of its recommendations, which mount in number, all in the context of compliance with State law, accuracy, clarity and completeness.

BB moved, SG-Q seconded a motion to adjourn. Passed 5-0 at 9:04 pm.