

March 16, 2015

To: The Residents of Westborough  
Fm: Westborough Charter Review Committee

Posted on the Town of Westborough website is a letter received from the Town's interim legal counsel, Mirick O'Connell. The contents of the letter were in response to a list of questions we, the Charter Review Committee, had as we considered recommendations for change to the Town's charter.

As of the date of this letter, the Committee has taken no action on any of the contents but will be discussing it at upcoming meetings.

The list of questions submitted is as follows:

**General Request:** Review the current Town of Westborough charter and identify elements that can lead to inconsistencies with M.G.L. or other future legal conflicts.

**Specific Requests:**

- Section 7.8 (Removal & Suspensions); does this need changing
- Sections 5.2 to 5.6; Are there conflicts; committee is considering eliminating these sections since they appear to be redundant
- Should references to Housing Authority be eliminated?
- Are there sections that can be eliminated since they are covered by M.G.L.?

**Definitions/Questions:** Please provide the legal definitions with examples.

- Appointing Authority
  - Should an appointed board have appointing authority? What are good practices? What are legal considerations?
- Concurrence
  - Does concurrence mean that an appointing authority CAN NOT hire or fire if someone is identified to having concurrence for that appointee?
- Reporting/Organizational Structure
  - Does an appointee have to report to the appointing authority? Does the appointing authority have the legal right to assign the appointee to another manager/supervisor?

It is the Committee's desire to make this information available to Town residents and not just reference it in meeting minutes.

Our meetings are held at the Fire Station on Milk Street with the agenda and dates posted on the Town Website.

Regards,

Robert P. Deysher  
Charter Review Committee Chair