CHARTER REVIEW COMMITTEE VOTED MINUTES

Monday, January 13, 2020 – 4:00 p.m.
Old Water Department Meeting Room -- Town Hall
59 Town Hall Square, Falmouth MA 02540

Members Present: Peter Clark, H. Carter Hunt; David Garrison; Judith Fenwick; Charles McCaffrey; Daniel H. Shearer; Flannery du Rivage Rogers

Open Meeting
At 4:02 Peter Clark called the meeting to order.

Hear Public Comment
None.

Discuss and Act on Minutes
November 25, 2019:
David Garrison moved to approve with corrections. Charles McCaffrey seconded. All in favor; motion passed.

December 2, 2019:
David Garrison moved to approve with corrections. Judy Fenwick seconded. All in favor; motion passed.

Review New Committee Emails and Documents
Email from Bob Brown, Recreation Committee chair.

Discuss and Act on Non-Charter Issues for Final Report
• Town Meeting Operations
A discussion included the following:
  o The CRC should clarify concerns about town meeting operations and present to the moderator for review before inclusion in the final report.
  o This may not belong in the final report.
  o Colleagues have expressed frustrations with town meeting operations but the survey did not reveal big concerns. The committee may have moved out of its purview. If suggestions are made, this should be done carefully.
  o We did hear complaints about town meeting operations so it is logical that we’d take a look and then pass concerns on to the Rules and Procedures Committee. All of this may not be worth entertaining, though.
  o We could do further research on the survey, interviews and other documents and then pass to the Rules and Procedures Committee.
  o There are 2 components: the report on comments and assessment of comments. Has the committee made the transition to the assessment level?
  o We don’t have to get a clear signal from the survey in order to act.
  o It may be important to memorialize the concerns by saying they should be looked at by the Rules and Procedures Committee not us.
  o A concern is that this could upset people.
o 36% of survey respondents thought that town meeting operations needed improvement.
o An entity is needed that operates somewhat independently and in a systematic way.
o C 2 12 C could be amended.
o The Rules and Procedures Committee should help itself.
o Town meeting could make changes.

Peter Clark and Judy Fenwick were delegated to craft some language.

• Personnel-related matters
A discussion included the following:
o The issue was triggered by the question of whether the town manager has authority to hire/create new positions.
o There are inconsistencies with the Charter and Bylaws. The Charter supersedes bylaws.
o The town manager does have the authority to hire/create new positions.
o At a minimum there needs to be consistency with the Charter, bylaw and state and federal law.
o Town meeting does not exercise authority in hiring matters.
o Where does the authority belong? Addressing this issue will cause upset.
o The two problems are that there are massive inconsistencies between the Charter and Bylaw and it is unclear to people how new positions may be created and funded.
o The Board of Selectmen should educate the citizenry about this matter.
o The CRC should leave the issue.

David Garrison was delegated to craft some language.

• Two non-Charter items related to Select Board
Regarding publishing of the ballot: It is clear the citizenry wants publication in readable form.
Regarding what matters the Board of Selectmen spend their time on, a discussion included the following:
o The Board of Selectmen now has no authority to delegate licensing.
o Licensing can change the landscape of the town and should be done by elected officials.
o A possibility is for the Board of Selectmen to have authority to delegate some of the licensing but not all.
o Many towns around this size have regulatory authorities.
o This Board of Selectmen is efficient and licensing does not seem to waste their time.

Peter Clark will email Megan English Braga and Julian Suso to see if they will come in and present their opinions.

Discuss and Act on Committee Procedures
• 2020 schedule
  2nd and 4th Mondays at 4:00
• Remaining task list
The CRC decided to edit the Charter as a group. The copy used will be the updated one compiled by Michael Palmer.

NEXT MEETING:
Monday, January 20, 2020; 4:00 PM

At 5:57 David Garrison moved to adjourn. Judy Fenwick seconded.
Relevant Documents

Email from Recreation Committee chair
Draft Minutes 11/25/19, 12/2/19
Draft CRC on town meeting
Draft CRC on personnel