CHARTER REVIEW COMMITTEE  VOTED MINUTES  
Monday, August 3, 2020 – 4:00 p.m.

Members Present: Peter Clark, H. Carter Hunt; David Garrison; Judy Fenwick; Flannery du Rivage Rogers; Daniel H. Shearer; Charles McCaffrey; Frank Duffy, Ex Officio

**Chair’s statement of remote operating procedures and Other**

Peter Clark called the meeting to order at 4:00, read regulations and ground rules for conducting remote open meetings and took a roll call.

Peter Clark, present.
Carter Hunt, present.
David Garrison, present.
Judy Fenwick, present.
Flannery Rogers, present.
Dan Shearer, present.
Charles McCaffrey, present.

Frank Duffy, Town Counsel, present.

**Hear Public Comment**

None.

**Discuss and Act on Minutes**

Minutes of July 13, 2020

**David Garrison moved to approve. Daniel Shearer seconded.**

*Motion passed unanimously by roll call (7-0).*

**Review New Committee Emails and Documents**

None

**Discuss and Act on Charter Amendment Recommendations**

Version 4 of the draft memo to the Select Board was discussed. Peter Clark noted that the goal was to review the document and send it to the Select Board by Thursday in time for their meeting on August 10.

The first area reviewed was comprised of 5 Amendments, previously voted, from 2019. It was thought that a vote to reapprove would be a good idea.

Frank Duffy raised a new issue regarding existing language in C7-2G (General Provisions), a section that is addressed by Amendment #4. Counselor Duffy expressed concern that, as a practical matter, the 30-day time frame required here by the Charter was too short of a time to fill committee vacancies. Committee members acknowledged that it usually took much more than a month to fill committee vacancies. Often vacancies remained unfilled for many months, often years due to a lack of interested, qualified applicants. There was consensus that it would be preferable to alter the 30-day reference.
Charles McCaffrey moved to change the last sentence in C7-2G to read: “When such a vacancy has been created, the process to fill the vacancy shall begin within 30 days or in accordance with General Law.”

Carter Hunt seconded. Motion passed unanimously by roll call (7-0).

The CRC next turned to the 5 recommended charter amendments held by the Select Board for consideration during the 2020 cycle (amendments numbered 1-5 in draft memo to the Board entitled “Charter Amendment Recommendations for November 202 Warrant”).

Carter Hunt moved to approve all 5 as a group. Judy Fenwick seconded. Motion passed unanimously by roll call (7-0).

Part II (Alignment of Plans) of the draft memo to the Board was looked at next. Charles McCaffrey noted that the draft text of Amendment #7 (C3-3A, Select Board Policy Leadership) needed a small change. The last sentence of the proposed amendment should read:

“The Board shall cause the Strategic Plan to be regularly printed in the annual Town Report.”

There was agreement to consider Amendments #6-10 as a group, including the small edit noted by Mr. McCaffrey.

Charles McCaffrey moved to accept all five amendments #6-10 in the draft memo as proposed with the one revision noted. Carter Hunt seconded. Motion passed unanimously by roll call (7-0).

In answer to the question of whether amendments could be batched in groups in the warrant, Frank Duffy recommended that the amendments be kept separate and considered by the Board and Town Meeting individually since each amendment is located in a different section of the Charter.

The CRC then turned to Part III of the draft memo to the Board. This portion of the memo considered Article 32 from the 2019 Warrant. This amendment would have deleted four advisory committees (Recreation, Waterways, Beach, and Human Services) from the Charter because they do not meet the Charter’s new definition of a “governmental body”. Article 32 was not approved by Town Meeting. The draft memo puts forth an alternative approach to resolving the problem. In the memo, Amendment 11 would add the name of the Recreation Committee and four other governmental bodies to the list of entities with representation on the Community Preservation Committee (C7-16). The same amendment would then delete all four advisory committees from independent listing in the Charter (7-10, 7-11, 7-12, and 7-13).

David Garrison moved to approve Amendment #11 as presented in the draft memo. Daniel Shearer seconded. Motion passed unanimously by roll call (7-0).

Discuss and Act on Non-Charter Issues for Final Report

The Committee reviewed the last draft of the memo entitled “Charter Review Committee Position Statements on Topics not Solved by Amendments” dated July 9, 2020, sometimes
referred to as the CRC’s “bucket two” report. Regarding the CRC’s recommendations on the town’s personnel system management issues already communicated to the Select Board, Frank Duffy reported that the matter was being addressed by the Town Manager and may be ready to be addressed by the Select Board and then subsequently by the November town meeting.

The Committee discussed the section of the draft memo beginning on page 3, headed “Select Board Agency Focus on Policy and Planning. On page 4, the draft recommended moving jurisdiction over dock permits from the Board to the Conservation Commission. Charles McCaffrey expressed concern about this recommendation. He said that the Coastal Resilience Committee is currently looking at the overall matter of the process for permitting structures that impact wetlands, including docks. He recommended that the CRC not call for shifting jurisdiction over dock permits.

**David Garrison moved to strike the language in the draft memo calling for a shift in permitting of docks. Carter Hunt seconded. Motion passed unanimously by roll call (7-0).**

Judy Fenwick expressed concern that policies adopted by the Select Board were not posted on the town web site except for the Complete Streets policy posted in 2019. She will draft some language for addition to the CRC “bucket two” memo for consideration at the next meeting.

The Committee discussed Section B (Select Board agenda Focus on Policy and Planning) of the draft “bucket two” report. This section of the draft report concerns ideas on how the Select Board might delegate some routine functions to other town entities in order to free up its agenda for larger policy matters that go unattended due to lack of time. Daniel Shearer wondered if the committee was missing some things that the Select Board could delegate to the town manager or assistant town manager. He volunteered to review past agendas with an eye to how the Select Board is spending time during its regular meetings. He will report back to the CRC at its next meeting.

**Review Charter for Scrivener’s Errors and Other Issues; Article IV**

The committee resumed its review the existing Charter for errors with phraseology, hyphenation, capitalization, commas and singular and plural usage. It stopped at the end of Section C5-3(12).

**Discuss and Act on Committee Procedures**

The Committee briefly discussed its role in the Select Board’s August 10 meeting when its recommendations for Charter amendment articles will be considered. Peter Clark noted that he and Dan Shearer were scheduled to meet with the Recreation Committee next week.

**NEXT MEETINGS:**
Monday, August 10, 2020; with Select Board
Monday, August 17, 2020; 3 PM or 4:00 TBD
Monday, August 31, 2020; 3 PM or 4:00 TBD
Monday September 14, 2020
Monday September 21, 2020
Peter Clark urged the committee to think about the final report including what should be in it and how to structure it. For example, he noted that the committee had deliberated about many things but had taken some off the table. How should this be represented?

The committee said good bye to Flannery du Rivage Rogers and thanked her for her skillful service and consequential voice.

At 5:54 Judy Fenwick moved to adjourn. David Garrison seconded.

Relevant Documents

Minutes 7/13/20
CharAmendsRec 11.2020 v.4
Non-Amend Issue Positions 7.9.20