

## CHARTER REVIEW COMMITTEE VOTED MINUTES

Monday, April 29, 2019 – 4:00 p.m.  
Old Water Department Meeting Room -- Town Hall  
59 Town Hall Square, Falmouth MA 02540

Members Present: Peter Clark, Chairman; H. Carter Hunt; Daniel H. Shearer; Flannery du Rivage Rogers; Charles McCaffrey; Frank Duffy, Esq., ex-officio  
Members Absent: David Garrison; Judith Fenwick  
Also Present: Michael Palmer

### **A. Open Meeting**

At 4:03 Peter Clark called the meeting to order.

### **B. Hear General Public Comment**

None offered.

### **C. Discuss and Act on Minutes from April 22, 2019**

**Carter Hunt moved to approve. Charles McCaffery seconded. All in favor. Motion passed.**

### **D. Review New Committee Emails and Documents**

Peter Clark observed that the web site has been quiet.

He noted 2 past emails:

Peter Waasdorp's email regarding protections for governmental body members had been reviewed previously by the committee. The consensus was that this was worth looking at but not a charter issue.

The other email issue was expressed in emails between Peter Clark and Frank Duffy regarding the Marks Building. This was determined to be beyond the scope of the CRC.

### **E. Discuss Preliminary Recommendations for Terminology Changes--**

Carter Hunt

1. How to frame for the Warrant Recommendation?

A discussion included the following:

- The historical items, the information in brackets, would be left as is since the Town Clerk found this a useful formulation.
- Definitions may be better placed at the end of the document instead of the beginning.
- Since this would not be changing but only moving would this need a town meeting vote?
- It could be that the company that prepares the charter could make some changes by renumbering. Michael Palmer will investigate.
- Frank Duffy noted a few changes that could be done at Michael Palmer's request and did not need a town meeting vote.
- The chair reminded that the committee was cataloging changes it wished to make.
- Some of the proposed changes may be determined to be not that important and dropped.
- Upper case and lower case lettering and bold type were discussed.

- The FHA has three elected slots on the commission, one state appointed and one tenant elected slot. The DHCD has not determined the specifications for the tenant representative yet, so there is some confusion.
- Peter Clark inquired how the committee would move to the next step of sending proposed changes to the Board of Selectmen. Frank Duffy would facilitate when the committee was sure of recommendations.
- Regarding the Historical Commission: The Historical Commission formed when the Historic Commission and the Historic Districts Commission merged. There was a change under state law and the decision by the new committee to be named Historical Commission may have caused confusion. The HDC was a regulatory board and the Historic Commission had no regulatory authority.

**F. Discuss Area of Study on Guidelines on Appropriate Level of Detail in Charter Language--Flannery Rogers**

Flannery Rogers explained that she went through the charter to review the appropriate level of detail. She noted no glaring concerns. The committee voiced that maybe there should be a recall provision in the charter. Flannery Rogers will investigate.

Frank Duffy noted that bylaw review committees have not functioned well because this is a huge subject. He suggested several committees to review specific bylaw areas such as public safety or structure of government. A half dozen committees could produce a document.

**G. Discuss Preliminary Recommendations for Finance/Budget Area of Study--Dan Shearer**

The committee had a discussion about vacant unexpired terms which included the following:

- Should it be in the charter that the Board of Selectmen and Finance Committee have a joint meeting to decide on a replacement?
- The Finance Committee wanted this change.
- This may not be important since the time would be short until an election could be had. Also, this is one person of 15.
- The Finance Committee must take responsibility to schedule the joint meeting.
- The Board of Selectmen should not be part of appointing someone whose job is to watch them.
- If this is put in the charter and it conflicts with a bylaw, then what?
- The charter prevails but the issue should be addressed.

Dan Shearer expressed concern that the Finance Committee does not now have a public hearing. He will speak with the chair of the Finance Committee to see if the public has an opportunity to speak.

**H. Provide Overview of Committee Effectiveness Area of Study--Peter Clark (if time available.)**

No time.

**I. Discuss New Business**

None.

At 6:02 Carter Hunt moved to adjourn. Dan Shearer seconded.

NEXT MEETING: Monday May 6; 4:00 PM