CHARTER REVIEW COMMITTEE (Voted minutes)
Monday July 8, 2019 – 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; Daniel H. Shearer; Flannery du Rivage Rogers; David Garrison; Judy Fenwick; Daniel Shearer; Frank Duffy, Esq., ex-officio
Members Absent: Charles McCaffrey
Also Present: Michael Palmer; Enterprise

A. Open Meeting
At 4:03 Peter Clark opened the meeting.

B. Hear General Public Comment
None.

Discuss and Act on Minutes from June 24, 2019
David Garrison moved to approve as amended. Judy Fenwick seconded. All in favor except Peter Clark abstained; motion passed.
A second correction was noted.
David Garrison moved to approve. Judy Fenwick seconded. All in favor except Peter Clark abstained; motion passed.

Review New Committee Emails and Documents
Peter Clark noted emails received just before the meeting from Virginia Valiela, Barbara Schneider, James Callahan. These will be put on the next agenda.

Discuss and Act on Final Recommendations to Board of Selectmen, based on Review of Thirty Preliminary Recommendations presented at June 13 Public Forum and based on Added Issues Raised by CRC members
Regarding C2-15, #11, a discussion included the following:
• This language is in a bylaw. Why repeat it?
• This language seems to cover everything since it is boilerplate.
Daniel Shearer moved to accept. Carter Hunt seconded.
The discussion continued:
• This sounds more like a process issue than a charter issue.
• Is the question one of approval by the Finance Committee or review?
• This matter is best ironed out between the Finance Committee and the Board of Selectmen.
• Is this new authority being requested by the Finance Committee?
The issue was tabled pending further information.

Regarding C5-5, #21:
Does this language have the result the committee wanted? Is it a classification v. salary issue?
Regarding C7-2, #24:
It was voted previously that both conditions must be met for inclusion but alternative language was then proposed by Judy Fenwick. A discussion included the following:

• These 4 committees are here for historic reasons. They should be left until there is a bylaw written.
• They will not disappear if they are not mentioned in the Charter.
• It is better to take out all rather than leave some in and some out.
• Is there a softer way to deal with this?
• The past should be respected.
• If they are left in could there be grandfathering language?
• The historical argument does not seem important enough to keep them in the Charter.
• We could present to the Board of Selectmen and offer a minority opinion.
• Imagine spending an extended period at town meeting debating this issue.

1.

Flannery du Rivage Rogers moved to eliminate the 4 committees from the Charter. Carter Hunt seconded. All in favor except Judy Fenwick opposed; motion passed.

Regarding C 7-10, 11, 12, 13:
Frank Duffy noted that they could be done as one article.
David Garrison moved to approve a single warrant article. Carter Hunt seconded. Judy Fenwick amended to add some softening and clarifying language. There was no second to the amendment. A vote was taken and all in favor except Judy Fenwick opposed; motion passed.

Regarding C7-3, #26:
David Garrison moved to take the final vote, approving the proposal to delete the existing language in C7-3. Judy Fenwick seconded. All in favor; motion passed.

Regarding C5-5, #21:
David Garrison moved to delete from the original list of preliminary recommendations. Judy Fenwick seconded. All in favor except Carter Hunt opposed; motion passed.

Regarding C7-2H:
The Committee discussed a request from the Director of Assessing that members of the Board be exempted from the Charter requirement for term limits. The argument in favor was that the Board members have a very hard job to do (new members are required to pass a test) and it has been difficult to find qualified people to accept the assignment. The Committee will inquire about the extent to which making such an exception in this instance would set a precedent for other boards to seek similar exemptions.

Regarding C2-15, #11:
Carter Hunt moved that Frank Duffy will reword as discussed. Flannery du Rivage Rogers seconded. All in favor; motion passed.

C2-15 Finance Committee

A. The Finance Committee shall consist of fifteen (15) members, who shall be nominated by the Town Moderator and from the floor of Town Meeting, and elected by Town Meeting for three year overlapping terms at the Annual Town Meeting in the spring of each year. Current members of the Finance Committee shall continue to serve until their terms expire.

B. No member of the Finance Committee shall be an employee of the town or hold any other elected or appointed town office, except the office of Town Meeting member. Members of the Finance Committee may serve on advisory boards in a non-voting capacity.

C. Any vacancy in the membership of the Finance Committee shall be filled as follows: replacement members shall be nominated by the Town Moderator and from the floor of Town Meeting and elected by Town Meeting to complete the term of a departed member at any Annual or Special Town Meeting.

D. The Finance Committee shall review and make recommendations to Town Meeting on 1) the town budget and any amendments thereto and 2) articles requesting an appropriation of money or having financial consequences for the Town. It shall approve any transfers from the reserve fund. For these purposes, the Finance Committee may require the attendance of any department head or other town official and take public comment.

Discuss and Act on Committee Procedures: Explanations for Charter articles and structuring of the Board of Selectmen presentation; other
The Committee was urged to consider what kind of presentation to give. It was decided to present in the sequence that items appear in the Charter. Comments should be sent to Peter Clark by the 15th.

At 6:11 Flannery du Rivage Rogers moved to adjourn. Judy Fenwick seconded.

NEXT MEETINGS:

• Wednesday July 10; 6:30 PM
• Monday, July 15; 7:00 PM

Relevant Documents

Minutes of 6/24

30 Proposed Charter Amendments

Patricia Favulli email

Charamend6.21.19 attachment