

**CHARTER REVIEW COMMITTEE
RECORD OF MINUTES AND PROCEEDINGS
February 23, 2010**

The Charter Review Committee of the Town of Weymouth held a public meeting on Tuesday, February 23, 2010, at 7:00pm at Town Hall Council Chambers, 75 Middle Street, Weymouth, MA

Present:	Barbara Deacon, Chairperson Sandra Williams, Vice-Chairperson Michael Smart (arrived at 8pm) Arthur Mathews Claire Cunningham Sean Guilfoyle Michael Gallagher John Reilly
Not Present:	James Wilson
Recording Secretary:	Janet Murray

Chairman Deacon called the meeting to order at 7:05 pm.

OLD BUSINESS

Minutes – February 9, 2010

A MOTION was made by Councilor Mathews to ACCEPT the 2/9/10 minutes and was seconded by Mrs. Cunningham and PASSED on a 7-0-1 vote with Mr. Gallagher abstaining..

Citizen Questions, Concerns Update

Chairperson Deacon stated that she had received an email from Mr. Thomas with his questions for Mr. Curran.

NEW BUSINESS

Begin Deliberations on the 1st draft of change recommendations for the Charter

Mrs. Deacon spoke about how the Committee will proceed:

Everyone should have received the email of our initial draft document that John Reilly prepared for us. I also forwarded documents that were submitted through the website from Mr. Thomas. We also all have copies of the minutes from our past meetings. My hope is that tonight, we can tie all these pieces together to begin to formulate the document that we will submit to Town Council on Monday, March 15, 2010.

Our charge as a committee is to review the original charter and make recommendations, if needed, for change. We have had many people-department heads, town employees, town officials and citizens voice their opinions on whether or not they feel changes are needed.

It is our job, to process all that information and through consensus, recommend changes to the charter that we feel will help Weymouth become an even stronger community. While I appreciate all the input that we have been given over the past 7 months, it is ultimately our recommendations for change that will appear in the final document. Mr. Curran and Mr. Lane

CHARTER REVIEW COMMITTEE

February 23, 2010

will be at our next meeting on March 9, 2010. They will be here to answer any questions that the committee may have and to offer further clarification on any outstanding issues.

Before we leave tonight, I am hoping we can finalize our list of questions for Mr. Curran. I will forward our list to Mr. Curran and Mr. Lane so that they can be better prepared for our meeting. I believe the format that we followed when Mr. Curran visited us in November worded well. As chairperson, I will ask Mr. Curran the questions and will invite the committee members to ask follow up questions for discussion.

I would like to start with Article 1 and read through the charter so that we can insure that all sections have been addressed and that previous votes can be confirmed.

Chairperson Deacon stated that Mr. Thomas had suggested that there be a table of contents. She stated that she thought that this was a good idea. Also, changing the reference to the committee from Charter Committee to Charter Review Committee is another good idea.

Article 1: Incorporation; Short Title; Definitions

Section 1-1: Incorporation – the vote was for no action.

Section 1-2: Short Title – the vote was for no action.

Section 1-3: Division of Powers – the vote was for no action.

Section 1-4: Powers of the Town – the vote was for no action.

Section 1-5: Construction – the vote was for no action.

Section 1-6: Intergovernmental relations – the vote was for no action.

Section 1-7: Definitions (a-r)

- Subsection (a): Charter – the vote was for no action.
- Subsection (b): Emergency – the vote was for no action.
- Subsection (c): Full Council, Multiple Member Body – the vote was for no action.
- Subsection (d): general laws (lower case)

The following sentence was voted to be added.

The term shall further mean any law enacted by the State legislature as a result of a Home Rule Petition by the town which applies only to Weymouth.

Ms. Williams made a MOTION to add the definition of 8-9 computation of time to definitions section 1-7 and was seconded by Mr. Riley and UNANIMOUSLY VOTED.

- Subsection (e): General Laws (upper case) – the vote was for no action.
- Subsection (f): Initiative Measure – the vote was for no action.
- Subsection (g): Local Newspaper – the vote was for no action.
- Subsection (h): Majority Vote – the vote was for no action.
- Subsection (i): Measure – the vote was for no action.
- Subsection (j): Multiple Member Body – the vote was for no action.
- Subsection (k): Organization or Reorganization Plan – the vote was for no action.

Chairperson Deacon asked if there was follow up to this as her notes indicate that Councilors Mathews and Smart would go back and review. This concern was discussed at the 9/22 meeting She noted that they were going to refine, consult with legal and report back on wording. She asked if this had happened.

Councilor Mathews stated that he had voted in the minority on this.

CHARTER REVIEW COMMITTEE

February 23, 2010

Re-organizational plan can only come from the Mayor; a plan can not come from the Council unless the Mayor is in agreement with it.

Mr. Gallagher noted a wording change that needs to be made; it may “be” simple and brief with “be” added.

- Subsection (l): Quorum – the vote was for no action.
- Subsection (m): Referendum Measure – the vote was for no action.
- Subsection (n): Town – the vote was for no action.
- Subsection (o): Town Agency – the vote was for no action.
- Subsection (p): Town Bulletin Boards – the vote was for no action.
- Subsection (q): Town Officer

Mr. Riley made a MOTION to add “or town official” after town officer and was seconded by Councilor Mathews and PASSED on a 6-1 vote with Mr. Gallagher opposed.

- Subsection (r): Voters – the vote was for no action.

Mr. Guilfoyle made a MOTION to put an ‘s’ in parenthesis and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

Article 2: Legislative branch

Section 2-1: Composition, Term of Office

- Subsection (a): Composition

Chairperson Deacon stated that Mr. Curran had indicated that this committee can not make recommendations for change to length of terms. A charter committee is needed. Mr. Riley stated that he disagrees with this and noted that Mr. Curran and Mr. Lane are simply advising this committee. He further stated that through a petition of the legislature, recommendation to the Town Council, the Mayor and the voters, changes can be made.

Councilor Mathews noted that under Chapter 43B of MGL, any changes to the composition of the town Council, mode of election would require a charter committee. A MOTION was made by Mrs. Cunningham to take NO ACTION and was seconded by Ms. Williams and was unanimously voted.

- Subsection (b): Term of Office
A MOTION was made by Mr. Riley to take NO ACTION and was seconded by Ms. Williams and was unanimously voted.
- Subsection (c): Eligibility – the vote was for no action.

Section 2-2: Council President

- Subsection (a): Election and term – the vote was for no action.

Mr. Guilfoyle commented on the use of the word practicable.

Councilor Mathews noted that this discussion included 8-10 and 4-2 and involved the issue of oath of office.

Mr. Thomas stated that the use of the word qualified in that once the election is certified you are qualified, the elected parties will convene and elect their officers. He noted that this could happen in November.

Mr. Gallagher stated that this can not happen in November because it must happen after January 1st.

CHARTER REVIEW COMMITTEE

February 23, 2010

Mr. Riley stated that Section 8-10 dictates that they must be sworn in.

- Subsection (b): Powers and duties – the vote was for no action.
- Subsection (c): Council Vice-President – the vote was for no action.

Section 2-3: Prohibitions

- Subsection (a): Holding other town office or position – the vote was for no action.
- Subsection (b): Interference with Administration – the vote was for no action.

Section 2-4: Compensation, Expenses

- Subsection (a): Salary – the vote was for no action.
- Subsection (b): Expenses – the vote was for no action.

Section 2-5: General Powers – the vote was for no action.

Section 2-6: Exercise of Powers; Quorum; Rules – the vote was for no action.

- Subsection (a): Exercise of Powers was voted – the vote was for no action.
- Subsection (b): Quorum – the vote was for no action.
- Subsection (c): Rules of Procedure – the vote was for no action.

Section 2-7: Access to Information

- Subsection (a): In General – the vote was for no action.
- Subsection (b): Town Officers, Members of Town Agencies, Employees – the vote was for no action.
- Subsection (c): Mayor – the vote was for no action.
- Subsection (d): Notice – the vote was for no action.

Section 2-8: Officers Elected by Town Council

- Subsection (a): Town Auditor – the vote was to change the language to read that the town council shall appoint by a majority vote of the council an auditor (from the 10/13/09 meeting).

Ms. Williams asked if it was necessary to add “town” in front of council.

Mr. Riley stated that he did not think that it matters.

Councilor Mathews stated that since this language is in subsection (a), (b), and (c), it should be in subsection (a).

A MOTION was made by Mr. Guilfoyle to add “town” before council in subsection (a) and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

- Subsection (b): Town Clerk – the vote was to change the language to read that the town council shall appoint by a majority vote of the council a town clerk.
- Subsection (c): Clerk of the Council – the vote was for no action.
- Subsection (d): Salaries/Compensation – the vote was for no action.
- Subsection (e): Removal/Suspension – the vote was for no action.

Section 2-9: Ordinances and Other Measures

- Subsection (a): Emergency Ordinances – the vote was for no action.
- Subsection (b): Measures, In General – the vote was for no action.

CHARTER REVIEW COMMITTEE

February 23, 2010

- Subsection (c): Publication no action – the vote was for no action.

Section 2-10: Council Review of Certain Appointment – the vote was for no action.

Chairperson Deacon noted that this was to be referred to Mr. Curran in reference to South Shore Tri-Town Development Corporation and eventually voted no action

Section 2-11: Filling of Vacancies

- Subsection (a): Councilor-at-Large
Ms. Williams made a MOTION to change 18 months to 16 months and was seconded by Mr. Riley and UNANIMOUSLY VOTED.
- Subsection (b): District Councilor – the vote was for no action.
Mr. Riley made a MOTION for NO ACTION and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.
- Subsection (c): Filling of Vacancies by Town Council – the vote was for no action.

Article 3: Executive Branch

Section 3-1: Mayor: Qualifications; Term of Office; Compensation

- Subsection (a) Mayor, qualifications
Mr. Thomas had suggested adding any voter of the town
Ms. Williams stated that she believes that this is redundant.
Mr. Gallagher made a MOTION for NO ACTION and was seconded by Mr. Riley and UNANIMOUSLY VOTED.
- Subsection (b) Term of Office – the vote was for no action.
- Subsection (c) Compensation – the vote was for no action.
- Subsection (d) Expenses – the vote was for no action.
- Subsection (e) Prohibitions
Delete the provision regarding a town employee taking a leave of absence to be mayor.
Mr. Thomas stated that this goes to civil service for the police chief and fire chief.
Mr. Riley stated that civil service laws will prevail.
Mr. Gallagher pointed out that all other citizens of the town do not have this provision – taking a class of people, town employees,
Mr. Gallagher noted that there was a second issue with this to add “within the Town of Weymouth” so as not to restrict the out going mayor from working in another municipality.
Mr. Guilfoyle noted that union employees are protected by collective bargaining agreement for one year.
Mr. Thomas suggested that the words “if the job is available” be added.
Mr. Gallagher made a MOTION to ADD the words “in the town of Weymouth” (in the 4th line after employment and in the second to last line after position) and was seconded by Mr. Riley and PASSED on a 7-0-1 with Mr. Guilfoyle abstaining

Mr. Gallagher made a MOTION to REMOVE “this provision shall not prevent a town officer or other town employee who has taken a leave of absence in order to serve as mayor from returning to the same office or other position of town employment held at the time such leave of absence commenced; provided, however,” and was seconded by Mrs. Cunningham.

CHARTER REVIEW COMMITTEE

February 23, 2010

Mr. Riley stated that the employee is still working for the town and there is no break in service.

Mrs. Cunningham stated that another person is doing the job that was left vacant.

Mr. Gallagher stated that this gives one group an unfair advantage. He noted that a citizen of the town who is elected mayor does not have a job to go back to.

Councilor Mathews pointed out that in the past someone used this to their advantage to pad their pension and cause chaos.

Mr. Riley MOVED the question and debate was closed.

Sean Guilfoyle – NO

Arthur Mathews – YES

Michael Gallagher - YES

Barbara Deacon - YES

Sandra Williams – ABSTAIN

John Reilly – NO

Michael Smart – YES

Claire Cunningham - YES

The MOTION passed 5-2-1.

Section 3-2: Executive Powers; Enforcement of Ordinances – the vote was for no action.

Section 3-3: Appointments by the Mayor – the vote was for no action.

Section 3-4: Removal or Suspension of Certain Officials – the vote was for no action.

- Subsection (a): Town Officers and Department Heads - this was put in definitions so the reference does not need to be added.

Ms. Williams made a MOTION for NO ACTION and was seconded by Mr. Riley and was UNANIMOUSLY VOTED

- Subsection (b): Other Town Employees - this is the same reference as subsection (a). Ms. Williams made a MOTION for NO ACTION and was seconded by Mr. Riley and UNANIMOUSLY VOTED.

Section 3-5: Temporary Appointments to Town Offices

Mr. Gallagher made a MOTION to add the words “that whenever a vacancy occurs except for those offices controlled by the School Department, School Committee, or Town Council” and was seconded by Mr. Riley and was UNANIMOUSLY VOTED.

Section 3-6: Communications; Special Meetings

- Subsection (a): Communications to the Town Council – the vote was to strike “within twelve weeks” and change to “by October 15”
- Subsection (b): Special Meetings of the Town Council – the vote was for no action.

Section 3-7: Approval of Mayor, Exception (Veto) – the vote was for no action.

Section 3-8: Temporary Absence of the Mayor

- Subsection (a): Acting Mayor

Mr. Riley commented that this presents a dilemma. There is no method to do it.

Ms. Williams pointed out that there are medical HIPPA privacy rules.

Mr. Gallagher stated that he is concerned about putting anything in the charter.

Mr. Gallagher made a MOTION for NO ACTION and was seconded by Mr. Riley.

Ms. Williams stated that there is a citizen petition process for a recall election.

CHARTER REVIEW COMMITTEE

February 23, 2010

Councilor Mathews suggested including language that the acting mayor be a resident of the town.

Mr. Gallagher noted that the acting mayor has limited powers. He further noted that in the previous situation a department head was appointed; this was an illegal action. He continued that the language within the charter would indicate that the action taken was in violation of the charter.

Mr. Thomas suggested that in the absence of the Mayor after 10 days, the president of the council would become the temporary mayor and if the president is not available the vice-president would become the temporary mayor. He also suggested adding “who is a voter of the town”.

Mr. Riley noted that when something is done that is in violation of the charter; the council could go to court and get an injunction.

Councilor Mathews –

Mr. Guilfoyle stated that there are qualifications to be mayor not to be acting mayor.

Mr. Guilfoyle made a SUBSTITUTE MOTION to ADD “must be a voter of the town of Weymouth to be Acting Mayor” and was seconded by Mr. Riley and UNANIMOUSLY VOTED.

- Subsection (b): Powers of Acting Mayor – the vote was for no action.

Section 3-9: Delegation of Authority by Mayor – the vote was for no action.

Section 3-10: Vacancy in Office of Mayor

- Subsection (a): Special Election
Mr. Gallagher made a MOTION for NO ACTION and was seconded by Mr. Guilfoyle and UNANIMOUSLY VOTED.
This was question four on the list for Mr. Curran and will be removed from that list.
- Subsection (b): Council Election
There is a typo “3-9” should read “3-10”.
A MOTION was made to change “3-9” to “3-10” and was UNANIMOUSLY voted
- Subsection (c): Powers, Term of Office – the vote was for no action.

Article 4: School Department

Section 4-1: School Committee

- Subsection (a): Composition, Term of Office
Ms. Williams stated that Mr. Thomas had suggested changing school department to school committee.
Ms. Williams made a MOTION to change the title of Article 4 to School Committee and was seconded by Mr. Guilfoyle and was UNANIMOUSLY VOTED.

Mr. Gallagher made a MOTION to add “however the Mayor shall not hold the office of chairman, vice-chairman or secretary of the school committee” and was seconded by Ms. Williams and UNANIMOUSLY VOTED.

- Subsection (b): Term of Office
Mr. Guilfoyle made a MOTION for NO ACTION and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

CHARTER REVIEW COMMITTEE

February 23, 2010

- Subsection (c): Eligibility
Mr. Gallagher made a MOTION for NO ACTION and was seconded by Mr. Guilfoyle and was UNANIMOUSLY VOTED.
Mr. Thomas made a suggestion to change title of this article for consistency; no action was taken.

Section 4-2: School Committee Chair

- Subsection (a): Election and Term
A MOTION was made by Mr. Guilfoyle to change “from as soon as practicable” to “at the first meeting in January” and was seconded by Mr. Riley and PASSED on a 6-2 vote as follows:
Sean Guilfoyle - YES Arthur Mathews – YES John Riley - YES
Michael Gallagher – NO Claire Cunningham – NO Sandra Williams – YES
Michael Smart – YES Barbara Deacon - YES

Mr. Gallagher stated that the committee can not do any other business until the first meeting.

- Subsection (b): Powers and Duties – the vote was for no action.
Ms. Williams stated that there had been discussion to preclude the mayor from holding an officer position on the school committee. This was discussed and voted on in Article 4-1 (a).

Section 4-3: Prohibitions

Mr. Guilfoyle mad a MOTION to remove the language from the end of the fifth line “this provision shall not prevent . . . “ to the end of the paragraph and was seconded by Mr. Gallagher and PASSED on a 7-1 vote with Mr. Riley opposed.

Section 4-4: Compensation, Expenses

- Subsection (a): Salary
Mr. Riley made a MOTION to add after the words school committee “with the exception of the mayor” and was seconded by Mr. Gallagher and UNANIMOUSLY VOTED
- Subsection (b): Expenses – The vote was for no action.

Section 4-5: School Committee Powers and Duties

- Subsection (1) – the vote was for no action.
- Subsection (2) – the vote was for no action.
- Subsection (3) – the vote was for no action.
Councilor Mathews stated that he believes that this is in conflict with the definition of re-organization. He stated that his interpretation that the town council may establish a central municipal maintenance. He noted that Mr. Curran stated that this was a re-organization plan. He questioned why this is here at all.
Mr. Riley pointed out that the solicitor only advises the council.
Councilor Mathews noted that this leads to a legal battle. He stated that the solicitor sends a letter that rules it out of order.

CHARTER REVIEW COMMITTEE

February 23, 2010

A MOTION was made by Mr. Riley for NO ACTION and was seconded by Mr. Gallagher and UNANIMOUSLY VOTED.

Section 4-6: Filling of Vacancies

- Subsection (a): Runner-Up to Succeed to Office – the vote was for no action.
- Subsection (b): Filling of Vacancies By School Committee – the vote was for no action.

Article 5: Administrative Organization

Section 5-1: Organization of Town Agencies

Councilor Mathews stated that this conflicts with Article 4-5 (3).

Mr. Riley made a MOTION for NO ACTION and was seconded by Ms. Williams.

Councilor Mathews noted that he does not like the last sentence which states “The town council may vote only to approve or to disapprove the plan and may not vote to amend or to alter it.” He stated that he would like to see better language defining a reorganization plan. He pointed out that ordinances have been proposed that were clearly re-organization plans such as the sex offender ordinance which was passed, yet the peer review was ruled an organizational plan.

The MOTION PASSED on a 5-3 vote as follows:

Sean Guilfoyle - YES	Arthur Mathews – NO	John Riley - NO
Michael Gallagher – YES	Claire Cunningham – YES	Sandra Williams – YES
Michael Smart – NO	Barbara Deacon - YES	

Section 5-2: Merit Principle – the vote was for no action.

Section 5-3: Department of Public Works

- Subsection (1): Establishment, Scope – the vote was for no action.
- Subsection (2): Director of Public Works – the vote was for no action.

Section 5-4: Department of Municipal Finance

- Subsection (1): Establishment, Scope – the vote was for no action.
- Subsection (2): Director of Municipal Finance – the vote was for no action.

Section 5-5: Department of Planning and Community Development

- Subsection (1): Establishment, Scope – the vote was for no action.
- Subsection (2): Director of Planning & Community Development – the vote was for no action.

Section 5-6: Department of Human Resources

- Subsection (1): Establishment, Scope – the vote was for no action.
- Subsection (2): Director of Human Resources – voted to add “federal laws” in the last sentence.

Section 5-7: Department of Municipal Licenses and Inspections

- Subsection (1): Establishment, Scope - voted to add “weights and measures”.
- Subsection (2): Director of Municipal Licenses and Inspections – the vote was for no action.

CHARTER REVIEW COMMITTEE

February 23, 2010

- Subsection (3): Board of License Commissioners – the vote was for no action.

Article 6: Finance and Fiscal Procedures

Section 6-1: Fiscal Year – the vote was for no action.

Section 6-2: School Committee Budget

- Subsection (a): Public Hearing – the vote was to replace 21 days with 14 days.
- Subsection (b): Submission to Mayor – the vote was to replace 21 days with 14 days.

Section 6-3: Submissions of Budget and Budget Message – the vote was to replace 90 days with 75 days.

Section 6-4: Budget Message – the vote was to strike “Summarize town’s debt position”.

Section 6-5: The Budget

Mr. Riley made a MOTION for NO ACTION and was seconded by Mrs. Cunningham and was UNANIMOUSLY VOTED.

Section 6-6: Action on the Budget

- Subsection (a): Public Hearing
Mr. Riley made a MOTION for NO ACTION and was seconded by Mr. Gallagher and UNANIMOUSLY VOTED.
- Subsection (b): Review
Mr. Riley made a MOTION for NO ACTION and was seconded by Mr. Gallagher and UNANIMOUSLY VOTED.
- Subsection (c): Action by Town Council
Mr. Riley made a MOTION for NO ACTION and was seconded by Mr. Gallagher and UNANIMOUSLY VOTED.

Section 6-7: Supplementary Budgets, Other Appropriations – the vote was for no action.

Section 6-8: Allotments – the vote was for no action.

Section 6-9: Personal Liability for Expenditures in Excess of Appropriations – the vote was for no action.

Section 6-10: Capital Improvement Program – the vote was for no action.

Section 6-11: Independent Audit – the vote was for no action.

Article 7: Elections and Election Related Matters

Section 7-1: town Elections: General, Preliminary – the vote was for no action.

Section 7-2: Non-Partisan Elections – the vote was for no action.

Section 7-3: Preliminary Election

CHARTER REVIEW COMMITTEE

February 23, 2010

- Subsection (a): Signature Requirements – the vote was for no action.
- Subsection (b): Ballot Position – the vote was for no action.
- Subsection (c): Determination of Candidates – the vote was for no action.
- Subsection (d): Condition Making Preliminary Unnecessary – the vote was for no action.

Section 7-4: Ballot Position, Regular Town Election – the vote was for no action.

Section 7-5: Districts – the vote was for no action.

Section 7-6: Application of State General Laws – the vote was for no action.

Section 7-7: Citizen Initiative Measures

- Subsection (a): Commencement – the vote was for no action.
- Subsection (b): Referral to Town Solicitor – the vote was for no action.
- Subsection (c): Submission to Town Clerk – the vote was for no action.
- Subsection (d): Action on Petitions – the vote was for no action.
- Subsection (e): Supplementary Petitions – the vote was for no action.
- Subsection (f): Publication – the vote was for no action.
- Subsection (g): Form of Question – the vote was for no action.

Section 7-8: Citizen Referendum Procedures

- Subsection (a): Petition, Effect on Final Vote – the vote was for no action.
- Subsection (b): Certain Initiative Provisions to Apply – the vote was for no action.

Section 7-9: Ineligible Measures – the vote was for no action.

Section 7-10: Submission of Other Matters to Voters – the vote was for no action.

Section 7-11: Conflicting Provisions – the vote was for no action.

Section 7-12: Recall Elections

- Subsection (a): Application – the vote was for no action.
- Subsection (b): Recall Petition – the vote was for no action.
- Subsection (c): Recall Election – the vote was for no action.
- Subsection (d): Ballot Question – the vote was for no action.
- Subsection (e): Officeholder – the vote was for no action.
- Subsection (f): Restriction on Recall Petition – the vote was for no action.
- Subsection (g): Filling of Vacancy – the vote was for no action.

Article 8: General Provisions

Section 8-1: Charter Changes – the vote was for no action.

Section 8-2: Severability – the vote was for no action.

Section 8-3: Specific Provision to Prevail – the vote was for no action.

CHARTER REVIEW COMMITTEE

February 23, 2010

Section 8-4: Rules and Regulations – the vote was for no action.

Section 8-5: Periodic Review of Charter and Ordinances - Ask Mr. Curran what happens if Council wants to initiate and mayor doesn't the review before 10 years.

Mr. Thomas stated that he had suggested breaking this into three subsections. The wording he suggested was "that nothing shall prevent a mayor in concert with the town council from providing for a review of the ordinances or the charter on an early schedule that is herein established.

Section 8-6: Uniform Procedures Governing Multiple Member Bodies

- Subsection (a): Meetings – the vote was for no action.
- Subsection (b): Rules and Journals – the vote was for no action.
- Subsection (c): Voting – the vote was for no action.
- Subsection (d): Quorum – the vote was for no action.

Section 8-7: Number and Gender

Mr. Thomas suggested that importing be changed to imparting.

Section 8-8: References to General Laws – the vote was for no action.

Section 8-9: Computation of Time – the vote was for no action.

Section 8-10: Oath of Office of Mayor, Councilors, and School Committee Members – the vote was for no action.

Section 8-11: Certificate of Election or Appointment – the vote was for no action.

Section 8-12: Limitation on Office Holding – the vote was for no action.

Section 8-13: Enforcement of Charter Provisions – the vote was for no action.

Section 8-14: Annual Report of the Town – voted to change comptroller to director municipal finance.

Section 8-15: Notice of Vacancies – the vote was for no action.

Article 9: Transitional Provisions

Referred to Mr. Curran as to whether anything needed to be done on Section 9 as it refers to the change in government.

Section 9-1: Continuation of Existing Laws

Section 9-2: Continuation of Government and Administration

Section 9-3: Transfer of Records and Property

Section 9-4: Effect on Obligations, Taxes, Etc.

Section 9-5: Disposition of Certain Special Laws

- Subsection (a): Certain Special Laws Recognized and Retained

CHARTER REVIEW COMMITTEE

February 23, 2010

- Subsection (b): Certain Special Laws Recognized and Retained, in part
- Subsection (c): Certain Obsolete Borrowing Authorizations, Repealed
- Subsection (d): Certain Other Obsolete Special Laws Repealed
- Subsection (e): Certain Other Obsolete Special Laws Repealed

Section 9-6: Time of Taking Effect

Chairperson Deacon noted that there are questions on Article 9, Article 7 regarding primary elections, and Article 5 as to who calls for charter review sooner than ten years that will be discussed with Mr. Curran.

Councilor Mathews noted that the 3/15/10 Charter Review Committee needs to be posted as a public meeting with the town council as a public meeting as there will be a quorum of the committee present.

PUBLIC COMMENT

Chairperson Deacon asked if there was anyone in the public who would like to speak; there was the following response.

Mr. Thomas suggested that in Section 1-7 (d) general laws, another subsection should be created to add a separate definition of special law; special law shall mean “any law enacted by the legislation as a home rule petition. Chairperson Deacon stated that this will be taken under advisement.

CALENDAR & MEETING TOPICS

March 9, 2010	Invite Mr. Curran and Mr. Lane back to review Finalize document
March 15, 2010	Presentation to Town Council *All committee members should plan to attend

ADJOURNMENT

At 9:30 pm, there being no further business, a MOTION was made by Mr. Riley to adjourn and was seconded by Mrs. Cunningham, and UNANIMOUSLY VOTED.

Barbara Deacon, Chairperson

Date