

**MINUTES OF THE TOWN COUNCIL  
ORDINANCE COMMITTEE  
Town Hall Council Chambers  
April 27, 2011**

Present: Michael Smart, Chairman  
Brian McDonald, Vice-Chairman  
Ed Harrington  
Arthur Mathews

Also Present: George Lane, Town Solicitor  
Michael Gallagher, Director of Administrative & Comm. Svcs.  
Sandra Williams, Planning Board

Recording Secretary: Mary Barker

Chairman Smart called the meeting to order at 6:15 PM.

**10 016- Charter Review Committee Proposed Amendments**

Chairman Smart reviewed – the public hearing was held and there were comments from Ann Hilbert and Robert Montgomery Thomas. There was discussion on the number of amendments recommended, the total of which could be overwhelming listed on a ballot.

The committee focused on the timeline changes requested with regard to the budget submittal. Attorneys Curran and Lane recommended that the committee focus on prioritizing the timeframe for the budget and vote up or down, one question for each of the three specific times for budget submission: 6-2(A), 6-2(B) and 6-3. The recommendations are then submitted to the Mayor for approval; then to the Attorney General; then to the Secretary of State and finally to the voters in the fall. Councilor Harrington noted it might take 6-7 minutes to vote; this is reasonable. Councilor McDonald agreed; other changes can be done incrementally. Sandra Williams also noted it was suggested that scribner errors could be bundled for a vote. Chairman Smart responded that there would end up being too many issues on the ballot. Councilor Mathews noted that while cleaning up the document is good in theory, the goal is to recommend the three changes in the timeline for consideration by the Town Council. He noted the draft document provided mirrors the ballot.

Councilor McDonald asked if an explanation could be provided which explains why the change in the timeframe; whether the timing of the Governor's budget should be referenced. Councilor Mathews noted that the change is needed because the current document is designed so that the budget is submitted before the School Committee has voted its budget. The new language, the old language and the explanation needs to be included. Chairman Smart noted the explanation is referenced in the last sentence of the draft. Solicitor Lane stated that it is the intent to consolidate the explanation to the fewest words. Chairman Smart asked if it is likely that wording will be changed once the

measure is voted. Solicitor Lane responded that the explanation will be synthesized. Councilor Mathews noted he has no issue with the language. They are three separate ballot questions and each will need to be voted separately in committee and in Council. Solicitor Lane noted there is ample opportunity to bundle changes economically going forward. Councilor Mathews noted he would not want the voters to be overwhelmed with this and to leave it with the three items prioritized by the committee.

A motion was made by Councilor Mathews to forward to the Town Council, with a recommendation for favorable action, to adopt the change to propose to the voters to Section 6-2(A), of the School Committee budget, section (A), Public Hearing, that the language be changed from “at least twenty one days” to “at least fourteen days” as stated in the new proposal, the original language and the explanation below. The motion was seconded by Councilor Harrington and unanimously voted.

A motion was made by Councilor Mathews to forward to the Town Council with a recommendation for favorable action to adopt the change to propose to the voters to Section 6-2(B), of the School Committee budget, Public Hearing, that the language be changed in the first sentence to read “The proposed budget adopted by the School Committee shall be submitted to the Mayor at least fourteen days before the date the Mayor is required to submit a proposed budget to the Town Council.” This would be a change from the original language which states “twenty one days.” The motion is to include the proposed change, the original language and the explanation as well. The motion was seconded by Councilor Harrington and unanimously voted.

A motion was made by Councilor Mathews to forward to the Town Council with a recommendation for favorable action to adopt the change to the first sentence of Section 6-3, Submission of the Budget and the Budget Message to read “not later than seventy five days before the start of the town’s fiscal year.” this is a change from the original language which reads “ninety days.” The motion is to include the proposed language change, the original language and the explanation. The motion was seconded by Councilor Harrington and unanimously voted.

Chairman Smart thanked the Ordinance Committee and the Charter Review Committee for the work in drafting this. He appreciated the input from everyone.

#### Adjournment

At 6:50 PM, there being no further business, a motion was made by Councilor McDonald to adjourn, seconded by Councilor Mathews and was unanimously voted.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by: Michael Smart, Chair of the Ordinance Review Committee