

TOWN COUNCIL

**Town of Weymouth
Massachusetts**



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MEMORANDUM MEASURE 21 079

TO: ALL COUNCILORS

FROM: COUNCIL PRESIDENT ARTHUR MATHEWS

SUBJECT: CHARTER REVIEW COMMITTEE REPORT

DATE: 15 APRIL 2021

CC: JOHN CAREY, CHAIR/CHARTER REVIEW COMMITTEE

ATTACHMENTS

Pursuant to Section 8-5 of the Weymouth Town Charter, a review of the Charter is required every ten years for the purpose of review and preparation of a proposed revision. The approval process is as follows:

As the Charter Review Committee has completed its review, the proposed amendments (attached hereto) will be referred to the Ordinance Committee for review, a public hearing will be scheduled, the Ordinance Committee, after hearing from the public, will submit their recommendation to the Town Council, who in turn will vote. Pending the Mayor's approval, the registered voters of the Town of Weymouth will receive a mailing indicating the proposed changes and will have an opportunity to vote on said changes at the Town General Election to be held in November 2021.

I am requesting this measure is referred to the Ordinance Committee for review.

Please contact me with any questions.

Thank you.

TO: Arthur Mathews, President
Members of the Town Council

CC: Robert L. Hedlund, Mayor

FROM: John Carey, Chairman
Members of the Charter Review Committee

DATE: March 30, 2021

SUBJECT: Final report of the Charter Review Committee

Your committee appointed to provide for a review of the Weymouth Home Rule Charter, pursuant to section 8-5, respectfully reports that the following recommendations be adopted and signed by the Mayor to allow the voters of the Town of Weymouth to decide whether to amend the charter during the next municipal election scheduled for November 2021.

We also ask that Town Council and Mayor petition to General Court to ratify these actions of the Charter Review Committee as we were unable to meet the deadlines established by section 8-5 because of the worldwide pandemic that struck our Town, Commonwealth, and Nation shortly before we were expected to complete our work.

As you begin your deliberations, the committee remains available to answer any questions.

Given under our hands in Weymouth, this thirtieth day of March 2021.

John Carey, Chairman

Councilor Jane Hackett, Vice-Chairperson

Councilor Becky Haugh

Mary Barker

Russell Drysdale

Barbara Hughes

Michael Moody

Kelly Swett

Cathy Torrey

Memoranda

*Town of Weymouth
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Robert L. Hedlund
Mayor

Town of Weymouth
75 Middle Street
Weymouth, Massachusetts 02189

TO: Members of the Charter Review Committee
FROM: Joe Callanan, Town Solicitor
DATE: October 13, 2020
SUBJECT: Proposed language for the proposed changes the Committee has discussed

Attached are proposed motions for the several changes to the Weymouth Home Rule Charter the committee discussed during these past several meetings. Although I drafted these motions, members are free to change them, reject them, edit them, or approve them. The mere fact I drafted these motions does not express my support, the Mayor's support, or the Administration's support for these proposed motions.

During the last committee meeting on September 30, 2020, the committee acted on the remaining motions tabled during the September 16 meeting. The Committee approved each of the remaining motions.

Motion A: eliminate reference to publication by local newspaper

These sections may be found as sections 17, 42, 44, 45, 46, 48, and 53.

The Committee approved this motion on September 16, 2020

Motion B: eliminate section 9-6, "Time of Taking Effect"

This section may be found as section 56.

The Committee tabled consideration of this motion on September 16, 2020

The Committee approved this motion on September 30, 2020

Motion C: amendments to sections 2-3 and 2-7, related to Town Council's interactions with the Executive Departments

These sections may be found as sections 12, 15, and 16.

The Committee tabled consideration of this motion on September 16, 2020

The Committee voted to separate this motion into two motions on September 30, 2020

Motion C-1: amendment to sections 2-3, related to Town Council's interactions with the Executive Departments

This section may be found as section 12.

The Committee approved this motion on September 30, 2020

Motion C-2: amendments to sections 2-7, related to Town Council's interactions with the Executive Departments

These sections may be found as sections 15, and 16.

The Committee approved this motion on September 30, 2020

~~**Motion D:** eliminate preliminary elections in multi-member elections~~

~~These sections may be found as sections 51 and 53.~~

The Committee rejected this motion on September 16, 2020. I struck those sections from the draft below and renumbered the sections.

Motion E: amend "councillor" to "councilor" to be consistent throughout

These sections may be found as sections 1-11, 13-14, 18-37, 39-40, 49-50. I deleted three sections of this motion amending section 9-6.

The Committee approved this motion on September 16, 2020

Motion F: extend temporary appointments to 180 days

This section may be found as section 35.

The Committee approved this motion on September 16, 2020

Motion G: reduce time Town Council may act on the budget to coincide with end of fiscal year

This section may be found as section 47.

The Committee approved this motion on September 16, 2020

Motion H: eliminate scrivener errors identified by Council staff and eCode

These sections may be found as sections 41, 43, ~~512~~, and ~~524~~. I deleted four sections of this motion amending section 9-6.

The Committee approved this motion on September 16, 2020

Motion I: modify the timeline to review the Charter

This section may be found as section 55.

The Committee adopted Alternative One, and then approved this motion, as amended on September 16, 2020

Motion J: create an effective date within the Charter for any amendments to the Charter

These sections may be found as section 54 and 57.

The Committee discussed this motion on September 16, 2020, but has not yet acted upon it.

The Committee approved this motion on September 30, 2020

PROPOSED CHANGES TO THE WEYMOUTH HOME RULE CHARTER
AS RECOMMENDED BY THE CHARTER REVIEW COMMITTEE

SECTION 1. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "councillors-at-large" and inserting in place thereof the following word:- councilors-at-large

SECTION 2. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "district councillors" and inserting in place thereof the following phrase:- district councilors

SECTION 3. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "district councillor" and inserting in place thereof the following phrase:- district councilor

SECTION 4. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "town councillors" and inserting in place thereof the following phrase:- town councilors

SECTION 5. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "of councillor-at-large" and inserting in place thereof the following phrase:- of councilor-at-large

SECTION 6. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "district councillor shall at the time" and inserting in place thereof the following phrase:- district councilor shall at the time

SECTION 7. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "any district councillor shall" and inserting in place thereof the following phrase:- any district councilor shall

SECTION 8. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "such councillor" and inserting in place thereof the following phrase:- such councilor

SECTION 9. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "a councillor-at-large" and inserting in place thereof the following phrase:- a councilor-at-large

SECTION 10. Section 2-1, entitled "Composition, Term of Office," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "a district councillor" and inserting in place thereof the following phrase:- a district councilor

SECTION 11. Section 2-2, entitled "Council President," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "councillors-elect" and inserting in place thereof the following phrase:- councilors-elect

SECTION 12. Section 2-3(b), entitled "Interference with Administration," of the Weymouth Home Rule Charter is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

Except for the purpose of investigations pursuant to section 2-7, the town council and its members shall not give orders or directions to any such officer or employee serving under the mayor, either publicly or privately. This does not preclude individual members from written/electronic communications requesting or providing constituent-related information.

SECTION 13. Section 2-4, entitled "Compensation, Expenses," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "town councillors shall" and inserting in place thereof the following word:- town councilors shall

SECTION 14. Section 2-4, entitled "Compensation, Expenses," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "town councillors are" and inserting in place thereof the following word:- town councilors are

SECTION 15. Section 2-7, entitled "Access to Information," of the Weymouth Home Rule Charter is hereby amended by striking out the title and inserting in place thereof the following title:- Investigations

SECTION 16. Section 2-7, entitled "Access to Information," of the Weymouth Home Rule Charter is hereby amended by inserting at the end of subsection (a) the following new sentence:- The town council must pass a resolution stating the purpose of the investigation by a two-thirds majority in order to initiate an investigation and invoke the authority in section 2-7 (b), (c), & (d).

SECTION 17. Section 2-9, entitled "Ordinances and Other Measures," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "shall be published once in full in a local newspaper, and in any additional manner as may be provided by ordinance" and inserting in place thereof the following word:- shall be published in the manner as shall be provided by ordinance

SECTION 18. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the first paragraph of subsection (a) the phrase "Councillor-at-Large" and inserting in place thereof the following word:- Councilor-at-Large

SECTION 19. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the first paragraph of subsection (a) the phrase "councillor-at-large during the first" and inserting in place thereof the following word:- councilor-at-large during the first

SECTION 20. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the first paragraph of subsection (a) the phrase "which councillors" and inserting in place thereof the following word:- which councilors

SECTION 21. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the first paragraph of subsection (a) the phrase "councillor-at-large at the preceding town election" and inserting in place thereof the following word:- councilor-at-large at the preceding town election

SECTION 22. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the first paragraph of subsection (a) the phrase "councillor-at-large at the said election" and inserting in place thereof the following word:- councilor-at-large at the said election

SECTION 23. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the first paragraph of subsection (a) the phrase "councillor-at-large to serve" and inserting in place thereof the following word:- councilor-at-large to serve

SECTION 24. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the second paragraph of subsection (a) the phrase "councillor-at-large during the last six" and inserting in place thereof the following word:- councilor-at-large during the last six

SECTION 25. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the second paragraph of subsection (a) the phrase "councillor-at-large are elected" and inserting in place thereof the following word:- councilor-at-large are elected

SECTION 26. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in the second paragraph of subsection (a) the phrase "councillor-at-large and" and inserting in place thereof the following word:- councilor-at-large and

SECTION 27. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "District Councillor" and inserting in place thereof the following word:- District Councilor

SECTION 28. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "district councillor it" and inserting in place thereof the following word:- district councilor it

SECTION 29. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "councillor-at-large" and inserting in place thereof the following word:- councilor-at-large

SECTION 30. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "district councillor in" and inserting in place thereof the following word:- district councilor in

SECTION 31. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "district councillor and" and inserting in place thereof the following word:- district councilor and

SECTION 32. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "district councillor at" and inserting in place thereof the following word:- district councilor at

SECTION 33. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "district councillor to" and inserting in place thereof the following word:- district councilor to

SECTION 34. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "councillor-at-large" and inserting in place thereof the following word:- councilor-at-large

SECTION 35. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "district councillor" and inserting in place thereof the following word:- district councilor

SECTION 36. Section 2-11, entitled "Filling of Vacancies," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "town councillors" and inserting in place thereof the following word:- town councilors

SECTION 37. Section 3-1, entitled "Mayor: Qualifications; Term of Office; Compensation," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "councillors" and inserting in place thereof the following word:- councilors

SECTION 38. Section 3-5, entitled "Temporary Appointments to Town Offices," of the Weymouth Home Rule Charter is hereby amended by striking out the word "ninety" and inserting in place thereof the following phrase:- one hundred and eighty

SECTION 39. Section 3-8, entitled "Temporary Absence of the Mayor," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (b) the phrase "councillor" and inserting in place thereof the following word:- councilor

SECTION 40. Section 4-4, entitled "Compensation, Expenses," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "councillors" and inserting in place thereof the following word:- councilors

SECTION 41. Section 5-1, entitled "Department of Municipal Licenses and Inspections," of the Weymouth Home Rule Charter is hereby amended by striking out in fourth paragraph the word "ensue" and inserting in place thereof the following phrase:- ensue.

SECTION 42. Section 5-1, entitled "Organization of Town Agencies," of the Weymouth Home Rule Charter is hereby amended by striking out in the fifth paragraph the phrase "in a local newspaper" and inserting in place thereof the following word:- in the manner as shall be provided by ordinance

SECTION 43. Section 5-7, entitled "Department of Municipal Licenses and Inspections," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (2) the phrase "director of municipal licenses inspections" and inserting in place thereof the following phrase:- director of municipal licenses and inspections

SECTION 44. Section 6-2, entitled "School Committee Budget," of the Weymouth Home Rule Charter is hereby amended by striking out in the first paragraph the phrase "in a local newspaper" and inserting in place thereof the following word:- in the manner as shall be provided by ordinance

SECTION 45. Section 6-3, entitled "Submission of Budget and Budget Message," of the Weymouth Home Rule Charter is hereby amended by striking out the phrase "in a local newspaper" and inserting in place thereof the following word:- in the manner as shall be provided by ordinance

SECTION 46. Section 6-6, entitled "Action on the Budget," of the Weymouth Home Rule Charter is hereby amended by striking out the phrase "in a local newspaper" and inserting in place thereof the following word:- in the manner as shall be provided by ordinance

SECTION 47. Section 6-6, entitled "Action on the Budget," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the word "ninety," in the two instances it appears, and inserting in each instance in place thereof the following phrase:- seventy-five

SECTION 48. Section 6-7, entitled "Supplementary Budget, Other Appropriations" of the Weymouth Home Rule Charter is hereby amended by striking out the phrase "in a local newspaper" and inserting in place thereof the following word:- in the manner as shall be provided by ordinance

SECTION 49. Section 7-3, entitled "Preliminary Elections," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "councillor-at-large" and inserting in place thereof the following word:- councilor-at-large

SECTION 50. Section 7-3, entitled "Preliminary Elections," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (a) the phrase "district councillor" and inserting in place thereof the following word:- district councilor

SECTION 51. Section 7-3, entitled "Preliminary Elections," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (c) the phrase "names printed an the official ballots, although in consequence thereof there be printed" and inserting in place thereof the following phrase:- names printed on the official ballots, although in consequence thereof there shall be printed

SECTION 52. Section 7-7, entitled "Citizen Initiative Measures," of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (d) the phrase "3-9(c)" and inserting in place thereof the following phrase:- 7-7(c)

SECTION 53. Section 7-7, entitled "Citizen Initiative Measures" of the Weymouth Home Rule Charter is hereby amended by striking out in subsection (f) the phrase "in a local newspaper" and inserting in place thereof the following word:- in the manner as shall be provided by ordinance

SECTION 54. Section 8-1, entitled "Charter Changes" of the Weymouth Home Rule Charter is hereby amended by adding at the end the following new sentence:- Changes in the charter shall become effective the day after the date town council shall adopt the budget as prescribed in section 6-6(c) of the charter.

SECTION 55. Section 8-5, entitled "Periodic Review of Charter and Ordinances," of the Weymouth Home Rule Charter is hereby amended by striking out in the fourth paragraph the word "nine" and inserting in place thereof the following word:- zero

SECTION 56. Section 9-6, entitled "Time of Taking Effect," of the Weymouth Home Rule Charter is hereby repealed.

SECTION 57. Section 54 shall take effect upon its passage. The remaining sections shall take effect consistent with section 8-1, as amended.