

Harvard Charter Commission
Meeting Minutes
July 18, 2017
Upper Town Hall – Volunteer Government Room

Members present: Paul Cohen (Chair), Rick Maiore, Sharon McCarthy, George McKenna, Stephanie Opalka, Ron Ostberg, Cindy Russo. Absent: Charles Redinger, Peter Warren.

Paul Cohen called the meeting to order at 3:37 p.m.

The commission discussed each of the five issues raised by the Board of Selectmen at its July 11 meeting.

1) Section 3-1 (f) Recall Provision (page 12)

Two selectmen had requested that this section be eliminated. After discussion, the commission decided to keep the provision in the charter. Ron Ostberg moved and Rick Maiore seconded that the percent of registered voters required to initiate a recall vote be raised from four to five percent of voters. The vote was unanimous in favor of the motion.

2) Section 3-8: Chairperson Term Limits (page 16)

BOS would like to add to this section the chairpersons of the Board of Health, Board of Selectmen, Finance Committee, and Capital Planning and Investment Committee. After discussion, the commission added the Community Preservation Commission and the Park and Recreation Committee to this list and voted unanimously in favor of the motion (Cindy Russo/Rick) to add these committees to the list of committees whose chairpersons must rotate after two years of service.

3) Section 5-3 (a) as to Finance Director also serving as the School Business Manager (page 18)

Some BOS members questioned whether this is a requirement that should go in the charter, particularly given the recruiting problems they had recently. After discussion, the commission decided to keep the section in the charter and voted unanimously in favor of the motion (George McKenna/Cindy) to revise the section to say, “The Finance Director, upon certification as a school business administrator and at the will of the School Committee, shall also serve as the School Business Manager and will report to the Superintendent of Schools and the School Committee for all school-related financial activities.”

4) Section 5-5: Building Inspector/Facilities Manager (page 19)

One selectman suggested that the option of having this combined position be taken out of the charter and proposed as a bylaw, given a recent change in the Department of Public Works management. After discussion, a majority of commissioners agreed to keep this section in the charter and voted favorably on a motion (Cindy/George) to add new language to insure that all town buildings receive attention and funding, as follows: “Any needed repairs or servicing identified in (5) or (6) that meet the definition of a capital improvement will be recommended by the Select Board and/or the School Committee to the Capital Planning and Investment Committee for evaluation and funding.” (Vote was 5-0-1 abstention.)

5) Community and Economic Development Department

One selectwoman encouraged the commission to reconsider adding this to the charter. After discussion, the commission voted unanimously on the motion (Cindy/Sharon McCarthy) to add a new section under the Town Administrator's duties and responsibilities as follows:

“Section 4-5: Duties and Responsibilities – Community and Economic Development

- (a) Together with a community/economic director, if one is appointed by the Select Board, work to accomplish the community/economic goals as envisioned by the Select Board.
- (b) Develop and further a process that facilitates the development of projects that address the Select Board's development goals.”

To address a concern raised by one of the selectwomen that a three-two BOS vote could result in politicized committee appointments, Sharon proposed that super-majorities be required for some committee appointments. After discussion, the commission voted unanimously on the motion (Sharon/Stephanie Opalka) to add to the Select Board section the following: “Appointments to the following boards shall be by an affirmative vote of no less than four selectmen: Board of Health, Cemetery Commission, Community Preservation Committee, Constable, Park and Recreation Committee, Planning Board, and Tree Warden.”

Cindy raised the topic of having a quorum requirement for Town Meeting, as is done in other towns. After discussion about the appropriate number, Cindy moved and Stephanie seconded that 100 registered voters must be in attendance for Town Meeting to conduct business. Ron suggested an amendment of 150 voters, which Cindy accepted as a friendly amendment. The motion passed unanimously and the following sentence was added to Section 2-1 – Town Meeting: “In order to conduct business, a minimum quorum of 150 registered voters must be in attendance at any time.”

Ron pointed out that several open issues need to be resolved before the final draft goes to the Legislature August 14, such as the following:

- Article 8: Transitional Provisions; Section 8-5 (b) Review of Bylaws.
- Discussion of and agreement on Ron's cover sheets: Recommendation for Adoption, Statement of Intent, and Summary of Remedies Provided by the Charter.
- Agreement on consistent use of terms throughout the charter, including references to Massachusetts General Law.

Laura Andrews will update the draft charter and distribute it to the commissioners by Thursday, July 20, for their review and discussion at the next meeting. Laura will also send a copy of the draft to Town Hall to be uploaded on the town's website.

The next meeting will be July 27 at 3:30 p.m. in the Town Hall meeting room.

The commission approved the minutes from the June 15 meeting as amended and from the June 29 meeting as submitted.

Paul adjourned the meeting at 5:10 p.m.

Laura Andrews, Recorder