

Harvard Charter Commission
Meeting Minutes
September 19, 2017
Upper Town Hall – Volunteer Government Room

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

Following the commissioners' meeting with the Board of Selectmen in the large conference room from 6 to 7 p.m., the meeting was continued at 7:05 p.m. in the small conference room.

Public Input

Worth Robbins spoke on recalls of public officials, giving examples from Shirley and Lancaster. He said he does not think it will make a difference to the success of the Charter if a recall provision is included or not. Recalls can be done through the state legislature if not provided for in the Charter.

Minutes

The minutes of the 8/9 meeting were approved as read. The minutes of the 9/13 public hearing were approved as amended.

Straw Poll

The commission discussed issues brought up on the public hearing and the BOS meeting and took a straw poll on the commissioners' opinions.

Elected vs. Appointed

Following discussion about the pros and cons of appointing vs. electing members of boards and committees, Peter Warren moved and Cindy Russo seconded a motion to retain the language that is written in the Charter.

Charles Redinger said that at the 9/13 public hearing, no one spoke in support of having boards appointed rather than elected.

After more discussion about the best way accomplish a town vision, Sharon McCarthy offered an amendment (seconded by George McKenna) to leave all boards that are currently elected, elected, except for the Planning Board. The amendment failed, 2-6.

Peter proposed an amendment to the original motion (seconded by Charles) to have the Planning Board be elected and leave the rest of the boards appointed. After discussion, the commissioners voted 2-6 against the amendment.

The result of the vote on the original motion to retain the language in the Charter was 7-1 in favor.

Recall

Cindy said that she thought the risk of having recalls used for political reasons was greater than the risk of having a person who needs to be recalled. Stephanie Opalka suggested listing what the reasons would be for recalls, like being convicted of a felony, embezzlement, or other malfeasance. Others pointed out that the town would end up in court. After discussion about recalling elected and appointed officials, Cindy made a motion that Ron Ostberg seconded to remove the recall provision from the Charter.

The vote was 6-2 in favor of the motion.

Caucus

Peter moved and Charles seconded a motion to insert the Town Caucus into the Charter document to have as an active part of election proceedings.

The vote was 4-4 so it failed.

The commissioners discussed the pros and cons of the two options to stand for election 1) going to Town Caucus to place one's name on the ballot, or 2) going to Town Hall to obtain papers and then getting 25 resident signatures in order to be placed on the ballot. After more discussion, on a Peter/Ron motion, the commissioners voted 8-0 to reconsider the motion to insert Town Caucus into the Charter document.

On the second vote, the original motion passed 7-1.

Quorum

Peter made a motion to amend the language of the Charter report regarding quorum to change the number to 50. Cindy seconded the motion. Charles questioned why the town needed a quorum, particularly given the examples Town Administrator Tim Bragan gave at the public hearing about problems other towns have encountered with quorums. Ron said that having a quorum was a direct remedy to a specific problem: that of not having enough people participating at Town Meeting. Several people said that by reducing the number in the Charter from 150 to 50, more people would support having a quorum. They also did not think that at 50-voter quorum would be difficult to meet.

The motion passed unanimously.

Building Inspector/Facilities Manager

After discussion about the need to have someone responsible for town-owned building maintenance, Cindy moved and Peter seconded the motion to amend the language of Charter

report Section 5-5 “to provide that there shall be a facilities manager who may be the building inspector.”

The commission voted unanimously in favor of the motion. George said he would rewrite the section.

Community and Economic Development

Paul asked for a vote to relocate the Community and Economic Development duties from Section 4-5 under the Town Administrator, to a new section, 5-6, under Administration.

The vote was unanimous. Sharon and Cindy will write the section.

Term Limits

Peter asked that term limits be added to the Charter for all elected officials since the recall was eliminated. Discussion followed about the pros and cons of term limits. Peter moved and George seconded a motion to insert term limits into the Charter.

The vote of 1-6-1 defeated the motion.

Board Recommendations for Select Board Appointments

Following discussion about the most effective way to have boards give input to the Select Board for appointments to their boards, Cindy/Stephanie moved to add the following language to Section 3-1 (e) 3 – Appointed Agency Positions: “. . . Select Board after considering any recommendation made by the with the vacancy.”

The vote in favor was unanimous.

Term Limits for Committee Chairs

Discussion was tabled until the next meeting.

The next meetings are scheduled for:
Wednesday, September 27, 4 p.m.
Thursday, October 5, 5 p.m.

Paul adjourned the meeting at 9:05 p.m.

Laura Andrews, Recorder