

Harvard Charter Commission  
Meeting Minutes  
January 5, 2017  
Town Hall

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

Paul called the meeting to order at 7:38 p.m. and the commission approved the minutes of the 12/15 meeting as amended.

Commission members discussed the January 2, 2017, revision of the draft charter, which Paul distributed electronically before the meeting. Page numbers will be added to the next version.

Article 1: Incorporation, Existence and Authority  
No changes

Article 2: Legislative Branch  
Paul had circulated his draft preamble to Article 2 with the revised draft charter. Discussion followed about the role of preambles in general.

Paul said that the Legislative body – Town Meeting – controls the Executive body.

Article 3: Elected and Appointed Officers  
There was a consensus among commission members that “Board of Selectmen” be replaced by “Select Board” throughout the charter.

Cindy sent out a revised copy of Article 3, which is not yet incorporated into the current draft. Ron would like to see ex officio members of committees addressed in the document. He said that regardless of whether a committee member is elected or appointed the charter needs to be explicit about the Select Board responsibilities he proposed:

- Policy formulation
- Appointing and hiring
- Working with the committees/boards to make them successful
- Reporting on the state of the town

Paul added that without the Select Board setting the vision, it gets involved in the work of other committees. People on the Select Board should aspire to a higher level. Paul also suggested we consider Select Board positions be two-year terms with all members up every election.

Charles said he was surprised at how fast the commission moved ahead with the idea of appointing most board members and he is not comfortable with replacing all elections with appointments. He thinks some boards should be elected. Peter said that currently 20 committees have 33 vacancies and most are appointments, so he doesn't think that people are not volunteering because of elections. Ron suggested that alternative proposals be created for any contested sections.

Discussion followed about remedies to put in place through the charter:

- 3-2 (a) Term limits
  - Would they expand the problem of getting people to run?
  - Would they create traction for other people to get involved?
  - What if the board comes up for election at the same time, like a city council, instead of having overlapping three-year terms? Rick suggested that the commission tailor what it's doing to a small town.
- Recalls – for all boards
  - Recalls have been addressed for attendance, but not for other reasons.
  - Could lack of civility be a reason?
  - What about valid policy differences?
  - If an appointed member doesn't agree with what the board is doing, is there any level of protection?
  - Would not adhering to the vision be sufficient for removal for cause?

Under the appointing authority of the Select Board – 3-2 (d) – George recommended adding the same wording used for the Moderator appointments in 3-4(c) Appointment of the Finance Committee: “The Moderator (and Select Board) shall exercise due care in the process of selecting members to ensure that the Committee represents a cross section of the Town as a whole.”

Also under 3-4(c), a recommendation was made to add the appointment of the Capital Planning and Investment Committee (CPIC) to that section.

A Board of Health piece should be added before Section 3-5: Park and Recreation Commission. Sharon will address separating parks from recreation.

Charles, Stephanie, and Sharon will review Section 3.

Peter and Cindy will review Section 4: Town Administrator.

George and Charles will continue work on section 5-5: Facilities and Maintenance and report at the next meeting.

George and Peter will relook at Article 6: Finance and Fiscal Procedures, including CPIC.

Paul will assemble the total draft when each team sends him its revised section – by January 20. The new draft will be issued by January 23.

Paul said that the main focus is on the executive board since that's where the other committees and boards said the problems existed. The commission needs to determine if appointing, rather than electing, members would resolve the problems. Sharon said that dysfunction occurs with overlapping jurisdictions. She will work with Cindy to identify who is elected, who is appointed, and who is doing what.

The commission discussed what “integrated” management is as it related to elections vs. appointments, but no definition resulted.

Next meeting – Thursday, January 26, 7 p.m. in the Town Hall 2<sup>nd</sup> floor large meeting room.

Laura Andrews, Recorder