

Harvard Charter Commission
Meeting Minutes
March 16, 2017
Second Floor Town Hall

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

Paul called the meeting to order at 7:05 p.m.

Public Comment

Warner Free Lecture Society trustees Lisa Foley, chairwoman, Pat Jennings, and Sheila Simollardes spoke about the importance of trustees continuing to be elected rather than appointed and continuing with three-year terms rather than two-year terms as proposed in the draft charter. Lisa said when Henry Warner established the Warner Free Lecture fund in 1890, his goal was to bring educational, non-partisan, lectures to the town. Having trustees appointed by the Board of Selectmen would make the positions more political, the trustees felt. They expressed concern about maintaining the Society's independence and protecting the funds from being used for other purposes or managed by others.

After more discussion, Rick moved and Ron seconded that the charter treat the Warner Free Lecture trustees the same as the library trustees. The commission voted 8-0-1 in favor of the motion with one abstention.

Town resident SusanMary Redinger thanked the commission for its work on the charter and raised several concerns she had about the draft. SusanMary said that she was speaking as a citizen, not in her role as chairwoman of the School Committee or as wife of commission member Charles Redinger. She asked for clarification of Section 2-7: Conflicting Meetings as it related to committee meetings within Town Meetings, which are often required to deal with warrant article amendments. Paul said that the language would be changed.

SusanMary urged the commission to reconsider the following:

- Two-year terms, agreeing with the Warner Free Lecture trustees that two years is too short a time for new members to become productive and that two-year terms would be a disservice to volunteers. She said she thinks they need three years.
- Having the full board come up for election at the same time, because it would be a problem if the whole board were to be changed at once.
- Term limits for board members.

She said that she doesn't think that appointing people to most boards and eliminating Town Caucus is a good idea. She also recommended giving the Town Administrator more responsibility. She said that she doesn't want to see the commission fail, but that she does not think that the commission's solutions will fix what the commission sees as the problems.

Members of the commissions responded to her concerns and explained some the reasoning behind their current decisions:

- The commission is responding to problems stated by board volunteers and other residents related to lack of accountability and poor communication between boards.
- They thought two-year terms would make volunteering easier for many people.

- Electing a slate of officers at the same time would make the officers more accountable to voters and would give boards a two-year block of time to accomplish their goals. They also saw low probability of an entire board being replaced at an election.
- Commissioners pointed out that for decades master plans have been written but not followed. They said that the changes would create a stronger executive that would be able to carry out the Master Plan.
- They are trying to emulate the schools with an executive board and appointed committees.

SusanMary was asked for her opinion about centralizing facilities management of all municipal buildings. She said that it would have to be the right person and questioned whom they would report to and where the money would come from. She suggested that the commission talk to the School Committee and the school superintendant.

The commission thanked SusanMary for her input, adding that it was a constructive discussion that gave the commission a chance to explain its reasoning and hear feedback from others. Once the latest revised draft charter is issued, the commission will set up meetings with town boards to hear their feedback. A public hearing has already been scheduled for April 6.

Town resident Beth Williams, speaking as a resident, said that she is an elected member of the Community Preservation Committee and an appointed member of the Council on Aging Board. She agrees with the Warner Free Lecture trustees and SusanMary that a two-year term is too short and said that terms need to be three years. She also supports staggered terms for boards and the ability to recall officials.

Draft Charter

The commission discussed the 3/16 list of discussion points carried over from earlier meetings. See appendix.

Section 3-9: Term limits. Charles asked if there had been a problem without having term limits for committee chairs. Cindy and Sharon gave examples of the Finance Committee, the Planning Board, and the Board of Health where it would have been better for the boards to have changed chairs sooner. Would have more participation and more involvement on the committees if more people took a turn as chair. George said that rotating chairs breeds new leadership. The commission approved 9-0 Charles's motion and Cindy's second that "No person shall serve more than two consecutive years as chair of any elected or appointed board. This shall not pertain to an ad hoc committee."

Section 4-1 (e): related to the BOS's performance review of the Town Administrator. The commission agreed to change the language in the draft to allow the current chair to appoint another selectman to conduct the review with the chair.

Section 4-6: Removal or Suspension. Cindy moved and Charles seconded to replace the current language with the following sentence, "The Select Board may remove or suspend the Town Administrator at a duly notice public meeting by an affirmative vote of at least four-fifths of its members." The commission moved on without voting.

Section 5-4 (b): Department of Public Works (principle functions) and Section 5-5 (b) (4) Building Inspector/Facilities Manager (one required function) conflict regarding maintenance of town buildings. After discussion about the building inspector and facilities management roles and potential conflicts, George agreed to rewrite Section 5-5 (b) (4).

Section 4-4: Town Administrator Duties and Responsibilities – Financial. The commission word-smithed the section to conform to the change of budget responsibility from the Finance Committee to the Select Board.

Sharon said that the Town Administrator write up contains too much detail. Paul said that it is lengthy, but not out of character with other town charters.

Stephanie proposed changes in Section 3-4: Town Moderator relating to the terms of the Capital Planning and Investment Committee (CPIC), which do not agree with the terms for CPIC in Section 6-5(a): Capital Improvement Plan. The commission fixed the Capital Improvement Plan section by replacing three-year terms with two-year terms and removing fiscal year dates.

Communication

The commission discussed how to prepare for Town Meeting April 1 and the public hearing April 6 and covered the following points:

- Be careful not to make Town Meeting about this unfinished project.
- Say something similar to what was reported in the paper.
- Explain that they heard about problems that they are trying to fix with the changes, such as better coordination and clearer lines of authority.
- All of the changes work together to get more people to volunteer and to bring vitality to a tried and true system – self-government.
- Remind people that this is a work in progress and the commission needs to hear from people.
- The statement should be three to five minutes.

For the public hearing, members suggested a five to seven minute summary of the significant differences. Stephanie said she and Peter would update the chart. Cindy suggested everyone write up their reasons for making the decisions that were made to help explain the reasons. It is important, she said, to hear from people outside the system as well as those within the system. Commissioners agreed that they need to listen to everyone's concerns and make sure that they are hearing from a broad range of residents.

Ron suggested that the commission focus on the overall process for the executive branch that the charter is putting forth: as "Vision to Planning to Policy to Budget." The commission is trying to get those four things to align better. The commission agreed that this should be the graphic used at Town Meeting and the hearing.

Paul asked if anyone had changes to his write up of Section 3-1 (f): Recall Provision for Elected Officers. No one did so it will be added to the draft.

Next Steps

- All – submit thoughts to Paul about why the commission is doing what it is doing.
- George – rewrite Section 5-5.
- Stephanie and Peter – update the chart.
- Paul – ask town boards to attend the April 6 hearing and set up meetings with them after Town Meeting to get feedback.
- Ron – develop a graphic for the characterization.

Next meeting: April 6, 7 p.m., Second Floor Town Hall: Public Hearing

Paul adjourned the meeting at 9:45 p.m.

Laura Andrews, Recorder