

SUBCOMMITTEE MINUTES FOR AUGUST 9, 2017

The initial meeting of the Charter Review Drafting Subcommittee was held at 12:00 noon on August 9, 2017, at the offices of Driscoll & Gibson, 1000 Plain Street (Route 139) in Marshfield. Present were Robert Marzelli, Alyssa McNamara Reed, and Donald Gibson. Donald Gibson was chosen as chairperson of the subcommittee. He also volunteered to prepare the minutes for each meeting. The consensus was that the subcommittee's minutes will be skeletal in form and not a verbatim description of the discussion at each meeting. It was also agreed by consensus that the function of the subcommittee was to revise, refine, and edit the charter changes adopted by the Charter Review Committee and not to make substantive decisions concerning the issues before the full committee.

The subcommittee then turned its attention to the language of the charter changes already adopted by the full committee to Articles 1, 2, 3, and 4. Particular attention was paid to make the language and provisions consistent with one another, to punctuation, and to eliminating to the extent duplicative or surplus language wherever possible. Where further input from or discussion among the full committee was felt necessary, a particular passage was flagged for the full committee's consideration.

Regarding Article 1, the words "and other elected officials" was deleted in 1.2. "Of" in the first line of 1.3 was changed to "or".

Regarding Article 2, the full committee will be asked whether the publication requirements contained in 2.3 and 2.4 should be amended to include posting the warrant and the notice of the opening and closing of the warrant on the town's website in addition to the other stated publication requirements.

Regarding Article 3, the board of health will be included in 3.1A as an elective office. The language contained in 3.2.1A concerning the overlapping terms of the five member board of selectmen will be harmonized with that of 3.2.4 concerning the overlapping terms of the five school committee members. The words "have the" in the first line of 3.2.1.C(2) were changed to "be responsible for". The sentence at the end of that subpart beginning with the words "The board of selectmen" and ending with the words "serving under it" were deleted in their entirety. With respect to 3.2.1C(4), the sentence "The board of selectmen shall also have the power to reject appointments referenced in section 3.2.1 subpart D of this document via the process outlined in section 4.1.1 subpart G of this document" was deleted as was the previously stricken through language "veto any appointment by the town manager of the police chief, the chief of the fire department, the town accountant, and the town clerk." The existing language of

3.2.1.C(10) and (11) will be brought to the attention of the full committee by Mr. Marzelli who will seek further clarification. 3.2.1.D was deleted in its entirety. Subsequent paragraphs were re-lettered. The stricken through language with respect to the building inspection department was deleted. Ms. McNamara will harmonize the legal authority references contained in 3.2.2D with those in the other portions of the charter to make them all consistent. 3.2.6 Moderator will be renumbered 3.2.5 Moderator. The charter provisions with respect to the Housing Authority will now be included in 3.2.6. 3.2.6 Board of Health will be renumbered 3.2.7 Board of Health. With respect to 3.3, the following language will be deleted: "(Selectmen c41 s10; Moderator c39 s14; School Committee APPROPRIATE REFERENCE all other boards and commissions c41 s11)."

With respect to Article 4, the last sentence in 4.1.1A will now read: "The Town Manager shall not have served in an elected office for the Town of Marshfield for at least twelve (12) months prior to his or her appointment." In 4.1.1B the phrase "consistent with this Charter" will be inserted in the second sentence thereof between the words "parties" and "setting". The first sentence of 4.1.1F will read: "The town manager shall be the chief administrative officer of the town." In the last sentence of 4.1.1G(2), the phrase "except for employees of the School Committee" will be added after the words "as needed". In 4.1.1H(1) the word "supervision" will be substituted for the word "operation". Because of uncertainty as to whether hiring, discipline, suspension, and removal authority on the part of the town manager needs to be include in 4.1.1H(6) in view of the language of 8.2, the full committee will be consulted. The word "provided" at the end of 4.1.1H(10) is deleted. In 4.1.1(a) "Advisory Committee" will now read "advisory committee". The phrase "under K and L(1) and (2) above" in 4.1.1M(3) is deleted. The language "In accordance with Article 8-2 of this charter" in the first sentence of 4.1.1N is deleted. The stricken language of 4.1.3 Board of Health is deleted in its entirety. 4.1.4 Town Clerk is re-numbered 4.1.3 Town Clerk. 4.1.5 Housing Authority is deleted in its entirety. 4.1.6 Legal Counsel is re-numbered 4.1.5 Legal Counsel. 4.1.7 Advisory Board is re-numbered 4.1.5 Advisory Board. The position of Finance Director will be given the number 4.1.6 once the full committee agrees upon the appropriate language setting forth his/her duties and responsibilities. 4.2 will now read: "Should a vacancy occur in any appointed office, board or commission, such vacancy shall be filled by the appointing authority. No vacancy shall be filled until 14 days after public notice of vacancy."

There being no additional new business for the subcommittee to consider, the meeting was adjourned. No date for the next meeting of the subcommittee has yet been determined.

