

Government Committee of Charter Revision Commission
 March 5, 2012

Charge	Minutes of	Subject	Action	Charter Ref.
Charge 1	1/9/12	Fix conflict of BOR rules/Charter wording on org meeting	Recommend wording: "the first business day in December."	C3-10-11
Charge 2	1/9/12 2/13/12	Change BOR meeting date	Tabled for further consideration. Refer to Commission counsel for technical wording to indicate the rescheduled mtg. should be held within the month and by resolution of the BOR	C2-10-4
Charge 3	1/9/12	BOR agenda at term end?	"at the end of a term of the BOR, items on the agenda be terminated and be reintroduced by members of the incoming administration"	
Charge 4	1/9/12 2/13/12	BOR resolution to skip month	"BOR be permitted by resolution to skip a meeting for one month per year." Same action	C2-10-4
Charge 5	12/12/11	Limit caucus	Take no action.	
Charge 6	1/9/12	Make clear Mayor has 10 days to return an ordinance	"Mayor must return an ordinance within 10 <u>business</u> days to the BOR"	C2-10-13 & 14
Charge 6a	1/9/12	Mayor absent over 10 days	"Mayor should give written notification of being absent from the city for any period of 48 hours or more to the President and/or Secretary of the BOR and/or the Town Clerk."	C3-10-4

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Charge 7	1/9/12	Clarify business or calendar days	Charge 7 and 8: "Clerk of the BOR presents an ordinance to the Mayor within two business days of the BOR vote. Upon presentation to the Mayor, the Clerk should receive dated official acknowledgement of the receipt. The Mayor than has 10 business days to approve the ordinance and return it to the BOR. If the Mayor does not approve/take action on the ordinance after 10 business days, the ordinance becomes effective after another 10 business days have passed."	C2-10-13 & 14
Charge 8	1/9/12	Specify actual number of Days BOR has to present ord. to Mayor	See above	C2-10-13 & 14
Charge 9		Clarify expiration dates of Boards/Commissions		C6-00-2 &4
Charge 10		When is the end of an expired term?		C6-00-4
Charge 11		Raise bar for member qualifications; depoliticize appointments		C6-00-1
Charge 11a	12/12/11	HR clear nominees	Take no action.	
Charge 12	1/18/12	Add Dir Ec Devel to cabinet	Tabled pending discussion of Chg.91 (DW request if Cte. Does not support Chg. 91 that Chg. 12 be reconsidered.	C5-10-1
Charge 13		Add Dir of HR to cabinet		

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Charge 14	2/6/12	Require BOR to approve Acting or Interim Director	Recommend o change to charter; research other citations of a finite span of days for an "Interim"	C5-10-2
Charge 15	2/20/12	Director Pub Sfety cabinet, contract or civil service?	Recommend that the Director PSHW remain a Cabinet level position. Charter should not stipulate qualifications.	C5-40-1
Charge 16	1/9/12 2/13/12 1/30/12	Director of Legal Affairs contract? Full time?	Tabled. Recommended no change "Recommend no change"	C5-20-1
Charge 16a	1/9/12	Corp Counsel personally appear in all actions?	Recommend the addition of "or his/her designee" after the word "appear."	C5-20-1
Charge 17	1/18/12	Dir of Admin report to Fiscal Cte of BOR	"Reject the recommendation that the Dof A report to the Fiscal Cte. Of the BOR"	C5-50-1
Charge 18	1/18/12	Delete Econ Devel function	Tabled until discussion of Chg. 91 and 12	C5-50-1
Charge 19	1/18/12	Add risk management function	"Risk Management be added to the numbered list of functions in C5-50-02B, and that the language describing those functions be modernized (i.e., "Information Technology" for "Data Processing").	C5-50-1

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Charge 20	12/12/11 1/18/12 2/13/12	Internal Audit report to Director of Admin.	Referred to Finance Support the recommendation the IA report to either the Dir of Admin OR the Controller. IA function should be mandatory within Office of Administration. Resolved with Finance Committee.	
Charge 21	1/18/12	Controller report to Dir of Admin	Controller function and its reporting line to the Dir of Admin discussed w/Charge 20.	C5-50-1
Charge 22	1/30/12	Review Dir of Ops re: WPCA; need to modify?	Agreed Charter language regarding duties of Dir of Ops in C5-30-2 is in conflict with City WPCA ord. and/or state statute. Committee will ask counsel revised the language regarding the Director of Operations relative to the WPCA. Committee will ask Counsel further to require the City and the WPCA to resolve current practical conflicts by contracting with each other as permitted under current law for services City now provides to WPCA.	C5-30-2 C6-160-1
Charge 23	1/18/12	Is WPCA a city agency or an independent self-sufficient entity?	To be discussed at a future meeting.	C5-30-2

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Charge 25		Abolish Commissions rec. Mayor Gov Task Force, including Water Pollution Control Commission		C6-160-1
Charge 25a		Eliminate by Superseding Ord		C6-160-6
Charge 26		Mayor Gov Task Force rec. merging Personnel Appeals Board and personnel Commission among others		C6-150-1 & 2
Charge 27		MGTF rec elim commissions including Municipal Building Bd of Appeals		C6-70-2
Charge 28	1/9/12	Limit the ability of elected officials to serve on more than one elected board at the same time	"Recommend that an addition to the Charter limits and individual to be elected to one elected Board." For further consideration: limit service on one elected Board/no other or one appointed Board."	
Charge 29	1/9/12	Consider increasing term for Constables from 2 to 4 years	Recommend the terms of Constable be 4 years.	C1-70-3
Charge 32	2/20/12	Consider term limits	Recommend term limits for all other elected Boards but with a general discussion with other members of the Commission as to what the parameters should be.	
Charge 33	2/20/12	Consider term limits for Mayor only	Recommend the office of the Mayor be limited to two terms.	

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Charge 34	1/18/12 2/6/12 2/20/12	Reduce BOR to 20	Tabled for further discussion. Majority of committee would reduce size but committee will not recommend change. Agree to disagree. Voice reluctance to Commission to bring issue forward to BOR.	C1-80-1
Charge 35	2/6/12 2/20/12	Consider staggering terms for BOR	Consult Pres. Skigen Do not recommend staggering the terms of members of the BOR.	C1-70-3
Charge 35a	12/12/11	Reduce BOR term to 2 yrs.	Take no action	
Charge 35b	1/9/12	Clarify "meeting"	Recommend "replacing the word 'meeting' with 'election' subject to Counsel's checking with the state. Recommend rewriting the first sentence to make it work based on staggered terms for all elected boards.	C1-70-1
Charge 59a	2/20/12	Consider taking investigative powers from elective officials to independent investigatory authority	Not recommend change to charter language. Discuss with full Commission and ask Chair Sandak to provide further detail on an "independent investigative authority." On C6-20-9, Committee assumes the Finance committee will clarify language that BOF has investigatory powers restricted to financial issues.	C2-10-2 (12) C6-20-9

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Charge 82	1/9/12	Clarify timing of Charter Review	Recommend language that would set the timing of Charter review for each 10 years; recommend that the appointments to the Commission be made no later than the Feb BOR meeting of each 10 th year. The revision process should be synchronized for referendum occurring in either a Presidential, gubernatorial or Mayoral election year.	C1-40-5
Charge 83	12/12/11	Charter rev every 5 years	Take no action	C1-40-5
Charge 84	1/9/12 2/13/12	Clarify/expand BOR retain Counsel	Tabled Recommended no change.	C2-10-2 C5-20-3
Charge 85	12/12/11	All Boards & Comm hire counsel	Take no action	
Charge 86	1/9/12	Spec. Assts. Approved BOR	Do not recommend that Special Assistants to Mayor be approved by BOR.	C3-10-2
Charge 87		Personnel Dept under Legal?		C5-20-7
Charge 88	12/20/12	Land use under Op?	Chair F. to ask Mayor for specifics	C-5-30-1
Charge 89	12/12/11	Parks & Rec separate	Take no action	C5-30-5
Charge 90	2/20/12 2/27/2011	Terry Connors Rink	Held Held	C5-30-5
Charge 91		Create an Office of Planning & Devel		

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Charge 96	1/9/12 1/30/12	BOR approves a contract/Mayor does not execute	10 business days for the Mayor to sign. If Mayor doesn't sign, President of BOR has authority to sign - provided the Mayor does not have the authority to disallow any contracts. Rec. no change to the Charter regarding a procedure.	C-3-10-12
Charge 101	1/9/12	Chief Building Official reports to	Recommend adding "Notwithstanding any provision hereinafter to the contrary, the Building Officer reports directly to the Director of Operations."	C5-30-6
Charge 102	1/30/12	Clarify scope of legal rep. for elected & appointed	Request clarifying BOR charge on this point.	C5-20-3
Charge 103	1/30/12	Conflict: legal rep?	Committee consensus is not to recommend a mechanism for assigning legal representation in these situations.	
Charge 104	12/12/11	Corp Counsel by RFP	Take no action	C5-20-3
Charge 105	2/6/12 2/13/12	Clarify who has oversight of environmental contamination	Tabled pending invited guests. Recommend adding a sentence to C5-40-1 to make it explicit that the Dir. PSHW is the ultimate leader in dealing with incidents of environmental contamination	C5-40-1

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Charge 106	2/6/12	Entitled Environmental Protection - empty	Tabled	C5-30-8
Charge 107		Require Planning Board membership qualifications		C6-00-2 C6-30-1
Charge 112g	1/30/12	Mayoral authority to take ack of deeds consistent with state law?	Refer this charge to Committee counsel.	C3-10-8
Charge 112h	2/27/2012	Penalty for hindering Mayor should be in charter?	Discussed	C3-10-14
Charge 113	1/18/12	Clarify purpose of annual report	"Research the origin of 9/30 date currently in Charter."	C3-10-13
Charge 114	1/20/12	Add BOR approval prior to city entering easement	Recommend a provision in the Charter to require BOR approval prior to the City entering into an agreement for an easement.	
Charge 115	12/12/11	Prohibit caucus	Take no action	
Charge 116	12/12/11	Need City Dept. of Air Quality	Take no action	
Charge 117	2/20/12	Review Transportation section?	No need to recommend change to current Charter language. Look to BOR for further clarification.	C5-30-4

Charge 117a	1/30/12 2/20/12	Clarify who prosecutes impeachment	Refer to Committee counsel to advise re: clarification of impeachment process. Ask counsel of definition of <u>impeachment</u> . Work in concert with PSH Ethics Committee to construct Charter language that would tie a code of ethics violation to an impeachment process which would be defined and spelled out in the Charter.	C1-90-1
Charge 118		Any minor tech. changes and corrections submitted separately by BOR or Legal Dept.		

DRAFT