

Sandwich Charter Review Committee Minutes 1/26/12

16 Jan Sebastian Drive Conference Room

7:00 p.m.

Present: Judy Hendy, Doug Dexter, Jim Coogan, Nicole Barrasso, Dan DiGiandomenico, Paul Schrader, Joe Foote. Representing the BOS: Jim Pierce. Absent: Bob James.

Meeting was called to order by Chairman Judy Hendy. There was no correspondence. The minutes of the January 12, 2012 meeting were reviewed and approved. Judy Hendy noted that Town Counsel attorney Lauren Goldberg sent her deep regrets for missing the CRC meeting on January 12th. Attorney Goldberg will come to the CRC meeting on February 9th. Paul Schrader noted that the Sandwich town website now features a link to the CRC under the "Boards and Committees" section of the site. Joe Foote added two additional community groups for possible CRC outreach. They are the DeWitt Clinton order of Masons and the Sandwich Economic Initiative Corporation (SEIC). There was a short discussion as to whether the CRC might utilize new communications mediums such as Facebook and blogs. The general consensus was negative.

Representing the Sandwich Board of Selectmen at this meeting were: Jim Pierce, Frank Pannorfi, and John Kennan. Their comments are summarized as follows.

In the view of the Selectmen, the Charter is not "broken," but there are a few issues that could be addressed should the CRC decide to make changes. The Charter should make some reference to the Local Comprehensive Plan to define its role in town government. Some consideration might be given to using the Charter to make town meeting more efficient. Better use of and publicity about the pre-annual town meeting for example, perhaps combining it with the budget hearings, would let citizens be more aware of what is actually doable. All agreed it would be helpful to have the draft budget in place earlier than it currently is. The Charter might adjust dates in Section 7 to speed up the process. It was suggested that it might be possible to have semi-annual town meetings, one in the fall and the other in the spring. The former would be dedicated to "housekeeping" issues like zoning and the spring meeting would concentrate strictly on budget matters. Special town meetings could still be called to deal with specific issues that might lie outside the normal parameters of the spring and fall meetings.

It was suggested that the sections of the Charter related to the School Committee and Finance Committee should include language similar to that which governs the actions of the Board of Selectmen, especially as it relates to powers, duties and prohibitions. Specific Charter recommendations related to the school department included:

1. The School Superintendent should reside in Sandwich.
2. The School Superintendent should negotiate all School Union Contracts directly.
3. The School Committee should develop updates and reports on their Long Range Plan beginning at the 2014 Annual town Meeting.

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4. The CRC should review the language in the Charter related to Town Counsel. It should be more specific or clarifying, relative to the Counsel for the School Department/School Committee.

Other issues touched on by the Selectmen:

The Capital Improvement Plan Committee (CIPC) is not mentioned in the current Charter. The selection process for this committee should remain the same and the direction should come from the Town Manager. The Sandwich Economic Initiative Corporation (SEIC) is also not mentioned in the Charter and the Selectmen felt that it should be. The issue of whether the Town Clerk should be appointed or elected was raised and the pros and cons of this situation were aired. It was noted by the Selectmen that in some cases, the town bylaws differ from the Charter. These discrepancies need to be addressed by the CRC. Also mentioned was the possibility of having a Chief Financial Officer for the town whose responsibility would be to consolidate the budget process among various departments and committees. Because many citizens are not clear as to who has authority to make commitments for the town, as Jim Pierce put it, "the Charter should specify who actually speaks for the town." He recommended that the lines of authority be more clearly enumerated in Article 2 of the Charter—"Powers of the Town." Because the office of Constable seems something of an anachronism in the modern age, it was suggested that this position could be done away with. The section of the Charter under "Boards and Committees" should be updated to list all elected committees and boards currently in place. The Charter does not presently do this. There was some question as to whether the CRC could play a role in consolidating some of the job functions in Sandwich. Finally, the issue of the role and function of the Library Trustees was discussed. Currently the trustees are elected and have a good deal of autonomy. The CRC could take a look at how the Library Trustees operate with an eye toward adding language that would eliminate confusion and misunderstanding as to what they are authorized to do.

Questions continue to be raised as to whether town Charters have the force of law or whether they are merely "codes of conduct unique to a particular town." Also the question came up as to who is responsible for the enforcement of the Charter? Where does the public go in cases of possible non-compliance with the Charter? These questions will be directed to the Town Counsel who will attend the CRC meeting scheduled for Thursday, February 9, 2012.

The meeting finished with a discussion as to how the CRC should proceed in crafting any changes to the Charter. The consensus was that the committee should continue to act as a sounding board throughout the process, listening to all input from interested parties and then deliberating possible changes in the document section by section.

The next scheduled meeting will be **February 9, 2012 at 7:00 p.m. at the town building at 16 Jan Sebastian Drive (Second floor conference room)**

The meeting was adjourned at 9:00 p.m.

Jim Coogan Clerk

Attachment 1: E-mail from Jim Pierce to CRC dated 12/06/11

Attachment 2: "Charter Updates memo to CRC from Frank Pannorfi 1/26/12