

Longmeadow Charter Commission Minutes

DATE: September 24, 2003 TIME: 7:14pm. (Adjourned 8:34pm)

PLACE: School Committee Meeting Room.

This was the 12th meeting of the Longmeadow Charter Commission. Present: Susan R. Altman, Kathleen E. Grady, William Hoff, Roger F. Nadeau, Joseph A. Occhiuti, Rebecca M. Townsend (Clerk). Absent: R. Peter Landon, Arlene C. Miller (Vice Chair), Roger B. Wojcik (Chair). Two (2) members of the public were present.

Ms. Townsend, serving as chair *pro tem*, called the meeting to order and opened the comment period to members of the public. Ms. Eleanor Stolar complimented the Commission on its work and reminded us “people have to be accountable to somebody.” Ms. Diane Nadeau provided the Commission with information about efforts currently under way to solicit funds for a public bulletin board to be placed out doors near the Police Station and Town Hall. She said that this would be the ideal place for notices of meetings, since citizens would be able to learn about meetings more than during non-Town Hall office hours.

1. Ms. Townsend opened review of the **minutes of the September 17, 2003 meeting**. Ms. Grady moved to delete “appoints” from after the phrase “South Hadley” and before “evaluates” in item 4.a.i. Mr. Hoff moved to delete words after “interviews” and substitute “department heads” in item 4.b. Ms. Grady moved to accept the minutes as amended, Mr. Occhiuti seconded, and the **Commission unanimously approved the minutes as amended**.
2. Ms. Townsend asked Ms. Grady to lead the work session on **detailing the list of possible provisions of our proposed Charter**. Ms. Grady stressed that **we would not be deciding each provision’s merit, only including the subject so that we may decide it on October 18 and 19**. Ms. Grady explained that she generated her initial list by examining charter from Scituate, Reading, and Gloucester. **Commission members would supply additional provisions that we ought to decide**. Commission members might have noticed these from other charters, organizational charts or annual reports, or elsewhere in our research.

Mr. Hoff mentioned that **in some of these provisions, our wording might not detail the item described but simply rather require that they be fulfilled**. An example of this would be the provision with the subject heading “Personnel Code.” If Commissioners decided that the charter should contain wording about a personnel code, the Charter would not detail such a code (e.g. pay scales or ways to calculate vacation time), rather the charter would only require that a certain authority create one. This is to avoid tying the hands of future generations with time-sensitive detail that might be changed, while still ensuring an appropriate degree of comprehensiveness and accountability. Also, in any case where state regulations take precedence, we should note that this provision refers to a particular regulation (and cite it).

Commission members decided on the following list of subject matters (some of this information can be found in documents from Scituate, Reading, Gloucester, Amherst) for each type of government we could consider:

LONGMEADOW HOME RULE CHARTER
Outline of Provisions – September 24, 2003

ARTICLE 1: INCORPORATION; SHORT TITLE; POWERS

- Section 1-1: Incorporation
- Section 1-2: Short Title
- Section 1-3: Powers
- Section 1-4: Construction
- Section 1-5: Intergovernmental Relations

ARTICLE 2: LEGISLATIVE BRANCH

OPEN TOWN MEETING

- Section 2-1: Town Meeting (powers and duties)
- Section 2-2: Presiding Officer
- Section 2-3: Time of Meeting
- Section 2-4: Availability of Town Officials at Town Meetings
- Section 2-5: Procedures (deliberation, voting, initiation and preparation of warrants)
- Section 2-6: Referenda/Adjourn to polls

REPRESENTATIVE TOWN MEETING

- Section 2-1: Composition
- Section 2-2: Realignment of Precincts
- Section 2-3: Town Meeting Membership
- Section 2-4: Town Meeting Sessions
- Section 2-5: Nomination Procedures
- Section 2-6: Vacancies
- Section 2-7: Compensation
- Section 2-8: Presiding Officer
- Section 2-9: Clerk of the Meeting
- Section 2-10: General Powers and Duties
- Section 2-11: Participation by Non-Town Meeting Members
- Section 2-12: Establishment of Standing Committees (Finance (#/9), Bylaws, Rules)
- Section 2-13: Warrant (initiation and preparation of warrants and articles)
- Section 2-14: Meetings (frequency, operations/procedures; deliberation, voting)
- Section 2-15: Referendum Procedures
- Section 2-16: Availability of Town Officials at Town Meetings

CITY COUNCIL (both Council-Manager or Council-Mayor)

- Section 2-1: Composition; Eligibility; Election and Term
- Section 2-2: Presiding Officer
- Section 2-3: Compensation
- Section 2-4: Prohibitions
- Section 2-5: Exercise of Powers; Quorum; Rules of Procedure
- Section 2-6: Council Access to Information

- Section 2-7: City Clerk; City Auditor
- Section 2-8: Council Staff
- Section 2-9: Council Standing Committees
- Section 2-10: Appointments to City Offices
- Section 2-11: Procedures
- Section 2-12: Delegation of Powers
- Section 2-13: Filling of Vacancies
- Section 2-14: General Powers

ARTICLE 3 – ELECTED OFFICERS AND BOARDS

- Section 3-1: General Provisions
- Section 2-2: Selectmen: Composition, Term of Office; Powers & Duties
- Section 2-3: Moderator: Term of Office; Powers and Duties
- Section 2-4: School Committee: Composition, Term of Office; Powers & Duties
- Section 2-5: Housing Authority: Composition, Term of Office; Powers & Duties
 - Any others: Assessors, Parks & Recreation, Planning, Water & Sewer (full list to be completed at a later date)

ARTICLE 4 – APPOINTED BOARDS AND COMMITTEES

- Section 4-1: Community Planning and Development Commission
- Section 4-2: Board of Health
- Section 4-3: Housing Authority
- Section 4-4: Board of Appeals
- Section 4-5: Cemetery Trustees
- Section 4-6: Council on Aging
- Section 4-7: Commissioners of Trust Funds
- Section 4-8: Conservation Commission
- Section 4-9: Recreation Committee
- Section 4-10: Other Committees

ARTICLE 5 – TOWN MANAGER, ADMINISTRATOR or MAYOR

- Section 5-1: Appointment, Qualifications, Term (public input; screening committee: Composition, Applicability, Powers and Duties)
- Section 5-2: Powers and Duties
- Section 5-3: Ombudsman (appointed—by whom—or elected, salary, term)
- Section 5-4: Appointing Authority and Responsibilities
- Section 5-5: Delegation of Authority, Acting Town Manager (powers and duties)
- Section 5-6: Annual Review, Review at End of Contract Period, and Removal Procedures

- Section 3-1: Mayor; Qualifications; Term of Office; Compensation; Prohibitions
- Section 3-2: Executive Powers; Enforcement of Ordinances
- Section 3-3: Appointments by the Mayor

- Section 3-4: Certificate of Appointment
- Section 3-5: Removal of Officials
- Section 3-6: Temporary Appointments
- Section 3-7: Administrative Assistant to the Mayor
- Section 3-8: Communications; Special Meetings
- Section 3-9: Approval of Mayor, Exceptions (Veto)
- Section 3-10: Delegation of Authority, Temporary Absence of the Mayor
- Section 3-11: Vacancy in Office of Mayor

ARTICLE 6- ADMINSTRATIVE ORGANIZATION (mission statement)

- Section 6-1: Creation of Departments, Agencies and Offices
- Section 6-2: Table of Organization
- Section 6-3: Publication of Administrative Code and Table of Organization
- Section 6-4: Department of Public Works
- Section 6-5: Town Counsel
- Section 6-6: Town Accountant
- Section 6-7: Town Treasurer-Collector

- Section 5-2: Personnel Plan/Code
- Section 5-3: Publication of Administrative Code and Personnel Code
- Section 5-4: Merit Principle
- Section 5-5: Department of Public Works
- Section 5-6: Public Building Maintenance
- Section 5-7: Human Resources
- Section 5-8: Chief Financial Officer

ARTICLE 7 – FINANCES AND FISCAL PROCEDURES

- Section 7-1: Fiscal Year, Timing of Budget Process
- Section 7-2: Submission of Proposed Budget
- Section 7-3: School Committee Budget
- Section 7-4: Budget Message and Rationale for Changes
- Section 7-5: The Proposed Budget
- Section 7-6: Action on the Budget
- Section 7-7: Capital Improvements Program, Joint Capital Planning Committee
- Section 7-8: Financial Public Records
- Section 7-9: Approval of Financial Warrants
- Section 7-10: Independent Audit

ARTICLE 8 – NOMINATIONS AND ELECTIONS

- Section 8-1: Dates/Timing
- Section 8-2: Nonpartisan/Partisan Elections
- Section 8-3: Preliminary/Primary Elections
- Section 8-4: Regular Elections
- Section 8-5: Special Elections

Section 8-6: Precincts

ARTICLE 9 – GENERAL PROVISIONS

- Section 8-1: Charter Changes
- Section 8-2: Severability
- Section 8-3: Specific Provisions Prevail
- Section 8-4: References to General Laws
- Section 8-5: Computation of Time
- Section 8-6: Number and Gender
- Section 8-7: Definitions
- Section 8-8: Rules and Regulations
- Section 8-9: Re-Enactment and Publication of Bylaws
- Section 8-10: Procedures of Multiple-Member Bodies
- Section 8-11: Elections
- Section 8-12: Notice of Vacancies
- Section 8-13: Removal of Elected or Appointed Officeholders
- Section 8-14: Resignation of Town Officers
- Section 8-15: Periodic Charter and By-Law Review Procedures
- Section 8-16: Town Seal

ARTICLE 10 – TRANSITIONAL PROVISIONS

- Section 9-1: Continuation of Existing Laws
- Section 9-2: Continuation of Government
- Section 9-3: Continuation of Personnel
- Section 9-4: Transfer of Records and Property
- Section 9-5: Time of Effect
- Section 9-6: Composition of Certain Boards

3. Members are instructed to bring to the retreat specific language that they have found in their research that is clear or useful for possible provisions.

Mr. Hoff moved to adjourn the meeting. Mr. Occhiuti seconded, and Ms. Townsend adjourned the meeting at 8:34pm.

Approved October 1, 2003.

Respectfully Submitted,

Rebecca M. Townsend, Clerk