**Town Of Medway**

**Charter Review Committee**

**Medway Middle School, 45 Holliston St**

**Presentation Room**

**MINUTES OF MEETING**

**September 10, 2018**

**Present:** Vice-Chairman John Scott Smith; Clerk Matthew McCabe; Committee Members Jeffrey O’Neill and John Robinson.

**Absent:** Chairman Jeffrey Segarra

Vice-Chairman Smith called the meeting to order at 7:05 PM.

**Approval of Minutes:**

1. July 25, 2018

A motion to approve the minutes was made by Mr. Robinson, seconded by Mr. O’Neill, and approved unanimously.

1. August 8, 2018

A motion to approve the minutes was made by Mr. Robinson, seconded by Mr. O’Neill, and approved unanimously.

**Discussion Items:**

1. Discussion of charter review plan.

Mr. McCabe, relaying a discussion with Chairman Segarra, outlined the committee’s plan going forward. The goal was to finalize the articles at the September 17 meeting, and vote on them at the September 26 meeting. Mr. McCabe handed out the latest draft of the baseline charter changes, along with drafts of the sections dealing with specific boards and commissions.

1. Discussion of Board of Selectman name change.

Mr. McCabe noted that the current draft of the amended charter used the name “Executive Board” in place of “Board of Selectmen.” Mr. McCabe added the Chairman Segarra believed that the town should have a say about any potential change to the name of the Board of Selectmen before the town meeting. He also noted that state law specifically refers to Board of Selectmen, so changing the name in Medway would put the town out of step with state law. For these reasons, he relayed that Chairman Segarra was disinclined to change the board’s name.

Mr. O’Neill stated that he thought the term “Executive Board” was satisfactory, and didn’t think the committee needed to get any feedback before the town meeting. Mr. Robinson agreed that Executive Board was suitable. Vice-Chairman Smith noted that we wanted to move away from Board of Selectmen, but was not partial to a particular name.

1. Discussion of Board of Health.

Mr. McCabe explained that the current draft amended charter changed the Board of Health to a 5-member board with 2 appointed members. Mr. Robinson was fine with the amendment, but noted that the language should be changed to make clear the overall board size is 5 members. He also wondered if it would be possible to fill the two new position given that few people run for the current board. Mr. O’Neill noted that there might be people who don’t want to run in an election but would serve in an appointed position.

1. Discussion of Water and Sewer Commission.

Mr. McCabe stated that the draft amended charter changed the Water and Sewer Commission to 5 members, with 2 appointed, and made the commission an advisory group. Mr. McCabe noted that he was unsure if people would want to run for an advisory commission with little power. Mr. Robinson stated that the draft should remove phrase beginning with “rather,” because the charter should set out the commission’s powers rather than what powers it doesn’t have.

Mr. Robinson noted that the town was expecting large spending on water and sewer projects in the near future, and wondered if this amendment gave the commission enough power to oversee that spending. Mr. O’Neill stated that this draft seems to give the commission very little power. Mr. Robinson then asked if the committee wanted to give the Selectmen even more power. Mr. O’Neill noted that in moving to a town manager model, the town was already giving that person operational control over water and sewer. Mr. McCabe argued that some kind of formal check or reporting structure might be useful, even if this was only an advisory board.

The committee discussed the breakdown of town revenue between fees and taxes. Mr. Robinson noted that water and sewer rates are outside Proposition 2 ½. Mr. O’Neill noted improvements in how water and sewer costs were accounted for in the past year. The committee discussed the possibility of Finance Committee oversight over this area.

1. Discussion of Parks and Recreation Commission.

Mr. McCabe outlined the plan to change the Parks and Recreation Commission from a 3-member board to a 5-member board, with 2 members appointed.

Mr. Robinson asked if the town should cap the commission’s capital spending. Mr. O’Neill asked about the split in duties between the new Parks and Recreation director and the commission. Mr. Robinson wondered if this commission should be merely an advisory group. Mr. O’Neil agreed that there should be appointed members. Mr. Robinson asked if fee setting should be done by the commission, and Mr. O’Neill answered that it should probably be the director. In that case, Mr. Robinson argued that commission should be an advisory group. Mr. McCabe stated he was unsure if fees should be a commission prerogative, given that other taxes are set up elected boards. Mr. McCabe also wondered if the Finance Committee should undertake an annual report regarding the town’s share of fee versus tax revenue.

Vice-Chairman Smith asked if the Parks and Recreation director was appointed by the town administrator, and Mr. O’Neill answered yes. The vice chairman then asked if the commission should have oversight over the director, as is the case with the Library Board of Trustees. He also wondered if the commission should remain elected if it was more of an advisory group. Mr. O’Neill answered that the commission could still undertake a policymaking function. Mr. Robinson noted that an advisory board could be of any size.

1. Discussion of Town Clerk position.

Mr. McCabe presented the draft amended charter, which changed the Town Clerk to an appointed position and let the incumbent stay in office as long as desired. Mr. Robinson noted that the Board of Selectmen had raised concerns about who might run for Town Clerk, and the fact that an elected Clerk was not bound by town personnel rules. He also noted the making the Clerk elected would mean further loss of elected positions in the town.

Mr. O’Neill stated it was in favor of an appointed Clerk, and noted that the position has changed over the years and the Clerk has access to sensitive information. The committee then discussed what a new elected Clerk would be paid, and Mr. O’Neill noted that a new Clerk would take over during the middle of a fiscal year under a salary that had already been appropriated. Mr. Robinson stated he didn’t oppose an appointed Clerk, but noted it might be controversial. Mr. McCabe stated that the committee could add language about an elected Clerk following town personnel rules, but it would be hard to enforce. Mr. Robinson wondered if the charter could state that the Clerk reports to the town administrator, and Mr. McCabe added that that might be hard with an elected Clerk.

1. Discussion of additional items.

Mr. Robinson suggested that the charter incorporate term limits for Selectmen. Vice-Chairman Smith noted that the town could always vote out incumbents if dissatisfied. Mr. McCabe asked if there was a suggestion for the number of terms allowed, and Mr. Robinson answered no. He noted that some town do not allow more than 3 consecutive terms. He added that he was not concerned about current Selectmen, but who might run in the future. Mr. McCabe asked if term limits were considered when the charter was originally written, and Mr. Robinson said no.

Mr. Robinson stated that he thought the town should have an investment policy. He worried about the desire to increase the rate of return on town investments. He wondered if the charter should direct the town to follow state investment guidelines, or if the Selectmen should be required to approve an investment policy. Mr. O’Neill noted that these guidelines are often geared toward pensions, while the town only manages excess reserves. He pointed out the existence of a short-term state investment fund. He also noted the new 3-member investment committee which will consider investment options. Mr. O’Neill also stated he would bring this up at the Finance Committee.

**Adjournment:**

***A motion to adjourn the meeting made by Mr. McCabe, seconded by Mr. O’Neill and approved unanimously.***

The Board adjourned at 8:09 PM.

Respectfully submitted,

Matthew McCabe

Clerk