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Town of Stoughton

Charter Review Committee

Date: Thursday, April 20, 2023 Time 7:00 p.m.

This meeting will be held in-person in the Great Hall at Stoughton Town Hall with a remote option. The Google Meet Link is available below. If available this meeting may be recorded for future re-broadcast via SMAC.

Amended

Charter Review Committee Google Meet Link

Google Meet joining info:

Video call link: <https://meet.google.com/zfm-mybi-zfg>

Or dial: (US) +1 502-622-8123 PIN: 693 322 040#

Agenda

Meeting agendas and minutes will be available through the Town's website at: [Stoughton.org](https://stoughton.org) and on the Charter Review Committee page at: <https://stoughton.org/409/Charter-Review-Committee>.

1. Call to order
2. Pledge of Allegiance
3. Citizen Requests/Comments (2 minutes per person)
4. Committee Members Comments
5. Approval of Charter Review Committee Minutes for the 3-30-23 Meeting – Appendix A
6. Discussion with Town Counsel of Charter Review Committee Bylaw Article as Amended – Appendix B
7. Final Charter Article 7 – Representative Town Meeting as approved in 4/20/23 meeting- Appendix C
8. Charter Review Committee Meeting Scheduled dates:
 - TBD after the Annual Town Meeting ends.
9. Adjourn

APPENDIX A

Charter Review Committee Meeting March 30, 2023 Town Hall and via Google Meets

Members in Attendance:

5 members present, Chair Larry Sauer, Cynthia Walsh, and Becca Markson in person
Teresa Tapper, Sandra Sousa and Amy Puliafico via Google Meets

Agenda Item 1: Meeting Called to Order – Larry Sauer (chair) called meeting to order at 7:03 p.m.

Agenda Item 2: Pledge of Allegiance

Agenda Item 3: Citizens Requests/Comments: None

Agenda Item 4: Committee Member Comments:

Becca Markson updated the Committee on the Municipal Regulations meeting last week about our Warrant Article.

Cynthia Walsh explained that the person who makes the motion on the floor should just read the Amended Motion as the main Motion at Town Meeting. Also, if we can get it to FinComm soon, they can hopefully get it Amended Motion in the book so don't have to bring 168 copies to the meeting.

Chair Larry Sauer did not have a chance to speak to the Town Counsel. He thinks we should discuss how we proceed after next meeting.

Agenda Item 5: Approval of Meeting Minutes for the 3/9/23 Meeting

**Motion to Approve Meeting Minutes for the 3/9/23 Meeting made by Becca Markson.
Theresa Tapper seconded.**

Becca Markson -Yes

Amy Puliafico -Yes

Theresa Tapper -Yes

Chair Larry Sauer -Yes

Sandra Sousa-Abstained because not at 3/9/23 meeting

Cynthia Walsh- Abstained because had to leave 3/9/23 meeting early

4 yes, 0 no, 2 abstained

Motion passes

Agenda Item 6: Final Review and Vote on Charter Review Committee Bylaw as Amended.

Larry Sauer explained the changes to the proposed Bylaw.

**Motion to Approve Charter Review Committee Bylaw as Amended made by Becca Markson,
seconded by Cynthia Walsh.**

Cynthia Walsh brought up that the article calls them Town Attorney as opposed to Town Counsel.
Discussion of one word change.

Sandra Sousa brought up concerns about the terms and the whole committee turning over at the same time. Discussion of staggering naturally because of turn over and TM representative term length. No change is recommended.

Motion to Approve Charter Review Committee Bylaw Article as Amended with change made by Cynthia Walsh, seconded by Becca Markson. Change "Town Attorney" to "Town Counsel"

Becca Markson -Yes
Amy Puliafico -Yes
Theresa Tapper -Yes
Chair Larry Sauer -Yes
Sandra Sousa- Yes
Cynthia Walsh- Yes
6 yes, 0 no

Motion passes

Agenda Item 7: Finalize Draft Article for Chapter Review Article 7 – Representative Town Meeting

Discussion of adding in reference to formal Second Town Meeting so that it is scheduled every year. Cynthia Walsh explained that the timing is hard to nail down because dependent on State information and grant rules, so sometimes need to meet in August and others in December. No change is recommended.

C7-10: Per our 2/9/23 meeting minutes were had not decided how to proceed on this section. **Becca Markson Motioned to strike "but a lesser number may organize temporarily and may adjourn from time to time."** Cynthia Walsh seconded the Motion.

Becca Markson -Yes
Amy Puliafico -Yes
Theresa Tapper -Yes
Chair Larry Sauer -Yes
Sandra Sousa- Yes
Cynthia Walsh- Yes
6 yes, 0 no

Motion passes

Discussion of striking the words "by mail" so that the Town Clerk has option about how to give notification. Concerns about not having the ability to get email and the need to discuss with Town Clerk. No change is recommended.

C7-11: Per our 2/9/23 meeting minutes we discussed the following changes:

"The first order of business at the Organizational Town Meeting shall be the election of the Deputy Town Moderator. They shall be elected in the manner set forth in § C7-4 of this Charter.

The second order of business at the Organizational Town Meeting shall be the adoption of rules and procedures governing the conduct of the Representative Town Meeting.

The third and final order of business at the Organizational Town Meeting shall be the election of Chairpersons and Clerks for the precinct delegations. Each precinct delegation shall elect a Chairperson and Clerk. A quorum of precinct Representatives must be present for the election of these officers, and the candidate who receives the greatest number of votes shall be deemed elected. The committee assignments will be made at that time.

Discussion of Section C7-12: Strike *“but may receive reimbursement for the actual and necessary expenses incurred in the performance of their duties.”*

Discussion of Section C7-13:

The presence at all Annual and Special Town Meetings is required of the Chairperson of the Selectboard, the Chairperson of the School Committee, and the Chairperson of the Committee on Finance and Taxation, the Town Manager, the Town Counsel, the Superintendent of Schools, the Town Accountant, and the Town Engineer. These officers shall have all of the rights and privileges of Town Meeting Representatives except they shall not have the right to vote on any Article unless they are an elected Town Meeting Representative.

Discussion of Section C7-14:

Strike “The Moderator, at the first Organizational Town Meeting held under this Charter, shall appoint three Committee members for three year terms, three for two year terms, and three for one year terms.”

Becca Markson Motioned to Accept the Changes to Sections C7-10 to C-14(b)(1) as above, Cynthia Walsh seconded the Motion.

Becca Markson -Yes

Amy Puliafico -Yes

Theresa Tapper -Yes

Chair Larry Sauer -Yes

Sandra Sousa- Yes

Cynthia Walsh- Yes

6 yes, 0 no

Motion passes

Becca Markson Motioned to Approve the article in Appendix C as Amended to be sent to the Selectboard as an Article for the next Town warrant, Cynthia Walsh seconded the Motion.

Becca Markson -Yes

Amy Puliafico -Yes

Theresa Tapper -Yes

Chair Larry Sauer -Yes

Sandra Sousa- Yes

Cynthia Walsh- Yes

6 yes, 0 no

Motion passes

Agenda Item 8: Review and discussion of Chapter Review Articles 1-15

Chair Larry Sauer discussed that probably makes sense to have Town Counsel come to meeting after Town Meeting to discuss our limitations.

Chair Larry Sauer has asked if we want to request the Selectboard establish Charter Commission. Sandra Sousa disagrees and does not think it is our place as a committee. Cynthia Walsh says only reason for Charter Commission is to start fresh for a new Charter or change form of government. When she was on Selectboard they discussed that option and could not get a consensus.

Discussion of other options such as petitioning articles if they are outside of our scope. Discussion of the fact that different Town Counselors view the rules wider and narrower in our scope.

Discussion of lowering number of Town Meeting Representative or how to encourage more people to join. Discussion of importance of people being involved in Town government.

Chair Larry Sauer will try to get the Town Counsel at the next meeting.

Agenda Item 9: Charter Review Committee Meeting Schedule
Thursday, April 20 all at 7:00 p.m.

Theresa Tapper made a Motion to adjourn

Becca Markson seconded the motion.

Vote by acclamation 5 yes, 0 no

Ended at 8:52 p.m.

Respectfully submitted,
Amy Puliatico, Precinct 4

APPENDIX B

Bylaw Article – Establishment of a Charter Review Committee

To see if the Town will vote to include in the Town of Stoughton Bylaws Part 1: Administrative Legislation as follows: Chapter 11 Charter Review Committee

(History: A Town Meeting Charter Review Committee was established as a temporary committee of Town Meeting on April 26, 1976 at the Annual Town Meeting. The 1977 Town Meeting rejected an article to dissolve the Town Meeting Charter Review Committee.)

Chapter 11 – Charter Review Committee

§ 11-1 Duties of The Committee

The Charter Review Committee shall serve as an advisory committee to the Stoughton Representative Town Meeting by making recommendations to the Town through the Select Board for changes to the Town Charter by proposing articles for the Annual Town Meeting Warrant. As an advisory committee to Town Meeting, it shall be subject to all the provisions of the Town Charter and Bylaws regarding public hearings, legal advertising, reporting, publishing, and distribution of its recommendations to the Town Meeting Representatives.

§ 11-2 Membership of the Committee

This Committee shall consist of Town Meeting Representatives who shall serve for terms of two years as long as they remain Town Meeting Representatives. One Town Meeting Representative shall be appointed at large by the Moderator, and one member shall be appointed by the Chairperson of each precinct delegation. The membership shall also include the Deputy Moderator and one Town Meeting Representative from the Committee on Municipal Regulations.

§ 11-3 Meetings of the Committee

The Charter Review Committee will meet on a regular basis to study the Town Charter, make recommendations for updates or changes to the Town Charter, and consider recommendations for changes to the Town Charter from residents of Stoughton, Town Meeting Representatives, the Select Board, Municipal Departments, Town Committees, or the Town Attorney.

§ 11-4 Limitations

The Charter Review Committee may not propose any change in the Charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body (Representative Town Meeting), or the Select Board, or the School Committee, or Town Manager.

When a recommended change to the Charter that impacts any other part of Town Government is supported by the Committee, the Committee will invite a member of the impacted constituency to participate in a discussion of the proposed change with the Committee prior to voting on an article for the Town Warrant.

§ 11-5 Public Hearings

As part of its study, the Committee shall hold one or more public informational hearings on the changes to the Charter being proposed, notice of which shall be posted publicly and published for each of two weeks, and not less than seven days preceding such hearing.

§ 11-6 Recommendations

The Charter Review Committee may annually make recommendations to the Select Board for the Town Meeting Warrant for any changes to the Charter, in the form of warrant articles, that are recommended by a majority vote of the Committee. In the event a Special Town Meeting is called in addition to the Annual Town Meeting, the Charter Review Committee may make additional recommendations for changes to the Charter.

§ 11-7 Home Rule

Any actions taken by the Committee will be in compliance with Massachusetts Home Rule Procedures GL. Chapter 43-B.

§ 11-8 Quorum

The Charter Review Committee shall not meet or conduct business without the presence of a quorum. A majority of the current members of the Charter Review Committee shall constitute a quorum. The Charter Review Committee shall approve its actions by majority vote of those members present.