

Final Report

Charter Review Committee 2008

I. Critical Changes (Warrant Article 12)

1. Change the designation “chief administrative and financial officer” to “town manager” throughout the charter document. (changed throughout the charter)

INTENT: Make the title more consistent with similar positions across the Commonwealth. Remove any confusion about the job description thereby simplifying future recruitment for the position.

2. Expand the power and duties of the deputy moderator. (Article 3-8(c))

INTENT: Currently, the deputy moderator’s only role is filling in for the moderator at a town meeting. However, the town moderator has other important duties outside of town meeting and, if the office is vacant, no one, not even the deputy moderator and perform them. This change will close that gap.

3. Change the manner of selection of the Sewer Commission from an appointed body to an elected body. (Article 3-14)

INTENT: To make a policy-making board an elected one as intended in the charter. The Sewer Commission, which didn’t exist as a separate entity when the original Charter was adopted should be changed to reflect this intent.

4. Change the authority of the Board of Assessors to ratify the appointment of the principal assessor by the town manager. (Article 3-4(c))

5. Change the authority of the Planning Board to ratify the appointment of the planning director by the town manager. (Article 3-10(c))

6. Change the authority of the Sewer Commission to ratify the appointment of the sewer business manager by the town manager. (Article 3-14(c))

INTENT: To empower these elected boards to participate in the hiring of the relevant staff that will work to implement their policies. It clearly defines who will appoint these positions and establishes ratification authority.

7. Clarify and confirm the appointment powers of the board of selectmen and the town manager. (Article 3-2(d), Article 4-2(c))

INTENT: To clarify some discrepancies and redundancies in the current charter as to the proper appointing and ratification authorities of specific positions (most notably the Building Inspector).

8. Make certain other grammatical and phrasing changes that do not alter meaning or intent of existing provisions. (changed throughout the charter)

INTENT: To correct spelling, punctuation and grammatical errors in the current charter, none of which change the intent of those provisions.

II. Recommended Improvements (Warrant Article 13)

1. Eliminate the requirement that a town manager must establish a residency in Lunenburg. (Article 4-1)

INTENT: To broaden the potential applicant pool. Currently, the Board of Selectmen can waive this requirement. This committee believes the potential enforcement of this requirement could limit the people who may apply for the position. Further, we could find no valid reason for ever applying it and recommends it be removed entirely.

2. Change the composition of the town manager selection committee. (Article 1-7(b))

INTENT: To increase the efficiency of the screening committee. The reduced membership of this committee will improve their ability to schedule meetings and therefore improve their ability to streamline their duties within a very compact timeframe. Lastly, the inclusion of the Finance Committee provides a voice in the process to a committee that works very closely with the town manager and that should have a vote in deciding which candidates should be forwarded for consideration for the position.

3. Change the manner of appointment of the finance committee. (Article 2-3(b))

INTENT: To broaden the town constituency represented in these appointments. The Finance Committee, by statute, is an advisory committee to Town Meeting. As such, we believe the Board of Selectmen, representing the executive branch of town government, should not be the sole appointing authority. The proposed change provides a broader representation of the entire town by engaging the legislative body (through the Town Moderator) and the School Committee (responsible for approximately one-half of the town budget) in the appointment process.

4. Permit the director of municipal finance to be someone other than the town manager. (Article 5-3(a))

INTENT: To allow organizational flexibility without requiring another charter amendment process. Currently, the charter mandates that the town manager **must** be the director of municipal finance. This simple word change will allow for the possibility that it **could** be another individual who would report to the town manager. This change neither creates a new position nor affects the current budget in any way.

5. Change the manner of selection of the Board of Health from a mix of appointed and elected to all elected. (Article 3-6(a))

INTENT: To eliminate the practice of having one member appointed by the Board of Selectmen. The initial intent of the appointment was to ensure that at least one member of the Board of Health have relevant experience. We believe that there is no evidence that this practice should continue and, since the Board of Health is a policy-making board, it should be wholly elected.

6. Make new provisions for planned and unplanned absences of the town manager. (Article 4-4(b))

INTENT: To clarify proper authority for responsible succession planning in the event of unplanned temporary absences of the town manager.

7. Eliminate identifying specific years to review charter or by-laws. (Article 7-7(a))

INTENT: To remove the requirement that the charter be reviewed in every year ending with a zero. The proposed change would simply require that the charter be reviewed at least once every 10 years.

III. Recommended Appointed Officials (Warrant Article 14)

1. Change the manner of selection of the Town Clerk from elected to appointed. (Article 3-12)
2. Change the manner of selection of the Board of Commissioners of Trust Funds from elected to appointed. (Article 3-11)

INTENT: To make non-policy-making positions appointed. As stated earlier, the charter envisioned that all policy-making bodies should be elected, while those positions and bodies tasked with implementing those policies should be appointed. The positions affect by this change are outside the scope of that philosophy. This change seeks to bring further consistency to both the charter and the organization of town government.

The Charter Review Committee

Greg Berthiaume	(School Committee Designee)	Chair
Bill Gustus	(Town Moderator Appointee)	Vice-Chair
Jason Poitras	(Town Moderator Appointee)	Secretary
Tom Alonzo	(Board of Selectman)	Member
Tom Mason	(Board of Selectman)	Member
Jennifer Benson	(School Committee)	Member
Emerick Bakaysa	(Planning Board)	Member
Barbara Reynolds	(Finance Committee)	Member
Brian Laffond	(Finance Committee)	Member