

# Dedham Charter Advisory Committee

PRELIMINARY  
RECOMMENDATIONS\*

June 26, 2013 Public Hearing

\*Final recommendations have not been voted and will be provided to the Board of Selectmen at a later date.

# Goals

- Ensure internal consistency
- Address issues raised by Town officials and employees
- Address issues raised by public
- Review Charter “soup to nuts” to identify best practices and/or consistency with state law
- Eliminate redundancy/streamline
- Clarify authority of Town Administrator
- Confirm transparency in government operations

# Timeline and Process

- Appointed in March of 2012
- Has generally met twice a month, more than 20 times
- Met with every elected multiple-member body
- Met with or heard from nearly every appointed multiple-member body
- Met with key staff

# Timeline and Process

- Held first public hearing on June 11, 2012
- Continues to meet and analyze issues
- Will make final recommendations to Board of Selectmen
- Anticipates such recommendations will be made towards the end of the summer
- Board of Selectmen will then decide whether to place on Town Meeting warrant any or all of Committee's recommendations
- If approved by Town Meeting, a home rule petition would be filed with the Legislature.

# Clerical and Non-substantive Revisions

- Organization and Grammar
  - Moves definitions section to beginning
  - Standardizes capitalization throughout
  - Standardizes use of term “by-law”
  - Removes “reserved” sections
  - Inserts headings and subsections
  - Makes various grammatical corrections
  - Moves Town Administrator’s power to remove appointees to location immediately following power to appoint

# Clerical and Non-substantive Revisions

- Representative Town Meeting
  - Defines “Districts” as precincts
  - Addresses process for breaking ties in initial election of Town Representatives following redistricting and in regular elections
  - Makes recall provision consistent with election law
  - Makes date for notifying Town Clerk of intent to run for re-election as Town Representative consistent with state law

# Clerical and Non-substantive Revisions

- Representative Town Meeting, cont.
  - Specifies three standing committees and authority of Town Meeting to create additional standing committees
  - Confirms that Open Meeting Law applies to standing committees
  - Addresses form of main motion under budget article

# Clarifications

- Representative Town Meeting
  - Requires Town Meeting to specify committee appointing authority and defaults to Board of Selectmen in absence of specification
  - Makes referenda procedure applicable only to votes to approve measures
  - Authorizes Planning Board to make main motion under Zoning Bylaw adoption or amendment articles

# Clarifications

- General
  - Confirms all elected and appointed boards are policy making only, not involved in day-to-day administration
  - Requires boards to annually report on matters within their jurisdiction likely to affect financial condition of Town
  - Allows Administrative Organization plan originated by Administrator to be revised on Town Meeting floor with Administrator approval

# Clarifications

- General, cont.
  - Brings section on procedures of multiple member bodies into accord with state Open Meeting Law
  - Removes reference to Building, Planning and Construction Committee where the same is included in By-laws
  - Confirms Town Administrator, Board of Selectmen and Town Moderator may appoint committees to advise them about matters within their jurisdiction

# Clarifications

- General, cont.
    - Updates transitional provisions to be applicable to any amendment of Charter
    - Includes transitional provisions needed to implement amendments
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# Clarifications

- Budget
  - Institutionalizes current Town Administrator process to establish budget calendar with all dates required by Charter/By-laws, and distribution of same to department heads
  - Requires notice of School and Town budget hearings, including date, time and place and availability of budget message, to be published in newspaper and made available in specific offices
  - Streamlines and simplifies Department of Finance and Director of Finance section

# Substantive Revisions

- Town Meeting
  - Creates Fall Annual Town Meeting, but provides Board of Selectmen with discretion to cancel if less than 10 petitioned articles
  - Renames “Finance Committee” as “Finance and Warrant Committee”
  - Authorizes Town Meeting, by by-law, to approve a different method of voting, such as electronic voting

# Substantive Revisions

- Elected Positions
  - Changes Board of Assessors from elected to Board of Selectmen appointment
  - Other than Town Representative, Town Clerk and Town Moderator, limits elected officials with three-year terms to four consecutive terms and those with five-year terms to three consecutive terms
  - Eliminates compensation for elected offices other than Town Clerk
  - Increases Town Clerk's term to five years

# Substantive Revisions

- Town Administrator
  - Town Administrator appoints all department heads, including those under elected and appointed boards, but requires consultation with such boards
  - Supervises all department heads with respect to day-to-day performance issues
  - Excludes property under jurisdiction of Library Trustees from Administrator's authority with respect to rental and use of property

# Substantive Revisions

- Town Administrator, cont.
  - Makes Town Administrator responsible for maintenance and repair of all buildings and facilities in Town, including Parks and Recreation Committee building and facilities, but excluding those under jurisdiction of School Department
  - Deletes procedure relative to removal of Town Administrator, thereby allowing such matters to be addressed by contract negotiations

# Substantive Revisions

- Recall
  - Provides for separate votes on single ballot as to (1) whether to recall elected official, and then (2) election of person to fill vacancy created by recall (continues to provide that recall is only effective if at least 20% of voters participate in recall election)
  - Makes other revisions to recall provision to make it consistent with state law, clarify process, and ensure that action thereunder is insulated from challenge

# Substantive Revisions

- General
  - Provides for removal of Town appointees and employees for “cause”, rather than for “good cause”
  - Requires posting on Town website of meeting notices of public bodies, but provides that failure to do so shall not invalidate meeting
  - Provides for periodic review of Town Charter and Bylaws on alternating five year schedule

# Questions, Comments, Concerns?

- Provide feedback in person at Committee meetings, submit written comments, call a Committee member
- Remember – the Committee will be making final recommendations over the summer
- The Committee wants to hear from you!