

**Town of Uxbridge  
Charter Review Committee  
August 31, 2020**

The fourth meeting of the Uxbridge Charter Review Committee, held on the Zoom platform, was called to order by Chair, Patrick Stephan at 6:34 PM, Monday, August 31, 2020.

Present were Chair, Patrick Stephan, Vice-Chair, Melissa Desmarais, Clerk, Ray Talke, and committee members Barry Desruisseaux, Rob Knapik, Joann Lindenmayer, Ron Parsons, and Michael Potaski. Committee member Jeffrey Lourie was absent from the meeting.

Dr. Lindenmayer volunteered to serve as timekeeper.

Mr. Knapik moved to approve the minutes from the August 24, 2020 meeting, seconded by Dr. Lindenmayer. The minutes were unanimously approved with two corrections.

Mr. Potaski presented his draft press release to announce the opening of public comments for the Charter Review Committee. Any suggestions or edits should be sent to Mr. Potaski using email by September 13, 2020.

Dr. Lindenmayer volunteered to create a draft of forms used as a template to collect input from the public, town officials, and town employees.

Mr. Stephan discussed his review of previous Charter Review Committees. He found the committees addressed small changes and clarifications in language. Mr. Stephan is still searching for an archive of the 2012 Town Meeting, when the recommendations of the previous Charter Review Committee was discussed.

The existing Town Charter was reviewed and initial comments and concerns were voiced. The initial issues with the Town Charter to be addressed include:

In Article 1, Section 2, the short title is not consistent with the title page of the charter.

Article 1, Section 4 addresses intergovernmental relations with other states and "civil divisions or agencies thereof." It does not address any international relations.

Article 1, Section 5 contains the definitions used in the charter. This section should be reviewed to validate the existing definitions and to determine if any definitions should be added.

The duties of the Moderator, as documented in Article 2, Sections 2 and 3, should be revisited. There were concerns about granting a single individual the power to nominate a majority of Finance Committee members. The other appointments allocated to the Moderator should also be examined.

Article 2, Sections 4 and 5 discuss Town Meetings. There were concerns that in-person Town Meetings may violate the Americans with Disabilities Act and Town Meeting attendance requirements may need to be reviewed to address epidemics which may influence meeting attendance. Is the current Town Meeting arrangement open and accessible to town residents?

The Warrant process documented in Article 2, Sections 6 and 7 should be reexamined. Is the timing documented for inclusion of warrants appropriate? In particular, are committees charged with conducting public hearings and reviewing warrant articles given adequate time to effectively address their responsibilities?

Article 2, Section 10 (Rules of Procedure) may need revision and strengthening.

The entirety of Article 3 (Elected Officers) should be reviewed. Some committees do not have an odd number of members as specified in Article 7, Section 7(f) of the Charter. Existing committees should be reviewed to ensure they are still needed, and discussions of splitting or consolidating roles should also occur (for example, should the Board of Selectmen continue also serving as Water and Sewer Commissioners?).

Should there be specialized knowledge required to serve on specific committees? What is the appropriate size of each of the committees and should members be elected or appointed?

Mr. Stephan pointed out that state law may prevent the Charter Review Committee from changing certain aspects of this article.

Further discussion and review of Article 3, Section 10 (Recall of Elected Officials) is needed. The final sentence of this section ("Section 2. This act shall take effect upon its passage") is redundant and unnecessary.

The Charter Review Committee would like to review the entirety of Article 4 (Town Manager). In particular, the verbiage of the second paragraph ("efficient, effective and economical operation of all government agencies") contains unnecessary and meaningless qualifiers.

Article 4, Sections 3 and 4 need to be reviewed. In particular, if the Town Manager falls ill and is not able to appoint a substitute, who functions as acting

Town Manager in his or her absence?

Article 5 (Administrative Organization) should be reviewed in its entirety.

Article 6 (Finance and Fiscal Procedures) should be reviewed in its entirety. In particular, Sections 9 and 10 should be discussed. In light of recent corruption allegations in the financial office, the role and responsibilities of the Town Manager as the "chief fiscal officer" should be reviewed. Whether or not town audits should be mandated on a regular schedule should also be considered.

Article 7, Section 6 (Periodic Review, Charter and By-Laws) should be reviewed. Is the verbiage appropriate and should the periodic review of the charter be performed by a Charter Review Committee or a Charter Commission? Is the five-year review cycle for review of By-Laws and a ten-year review cycle for the Charter appropriate?

Article 7, Section 8 (Removals and Suspensions) should be reviewed and compared to the removal and suspension procedures for the Town Manager (Article 4, Section 5) and the recall of elected officials (Article 3, Section 10).

The town attorney, Jason R. Talerman, will be available to meet with the Charter Review Committee on September 14, 2020. Committee members are encouraged to send written questions for the town counsel to Mr. Knapik.

A discussion of whom should be specifically sought out for interviews occurred. In the past, representatives from each elected Board and Committee were interviewed.

The question was raised as to the amount of confidentiality individuals have in providing input to the Charter Review Committee. Since the Charter Review Committee is bound by Open Meeting Laws, every comment is public and there is no confidentiality. It should be stressed the Charter Review Committee is looking at the overall structure of town government; the committee does not involve itself with inter-departmental or intra-departmental issues unless those issues are directly caused by the constitution of town government.

In soliciting input, Mr. Desruisseaux suggested including as many Yes/No questions as possible. This might facilitate increased participation in completing any forms the Charter Review Committee will distribute.

Mr. Stephan requested committee members forward suggestions for input forms to himself and Dr. Lindenmayer.

Public input should be solicited through the town bulletin board, the town website, and newspapers with local circulation. Mr. Talke also requested including a public comment

slot on every meeting agenda for the Charter Review Committee as well as dedicating one or two meetings exclusively for public comment.

Beginning October, 2020, the Charter Review Committee will hold regular meetings on the first and third Mondays of each month. Meetings will begin at 6:30 PM and be held on the Zoom videoconferencing platform until further notice.

The next two meetings are scheduled for Monday, September 14 and Monday, September 21, 2020 at 6:30 PM on the Zoom videoconferencing platform.

The meeting was adjourned at 8:14 PM.

Respectfully submitted,

/s/

Raymond A. Talke, Jr.  
Clerk