

ORLEANS CHARTER INTRODUCTION INSERTION and HISTORY

Prepared by Patricia Fallender and Gail Meyers Lavin, CRC

November 25, 2021

REVISED INTRODUCTION:

In 1987 the Town of Orleans established a Charter on the 200th anniversary of the Philadelphia Convention and its resulting Constitution. This Charter serves as the Constitution of the Town of Orleans.

The task facing the Founding Fathers was formidable: to provide for a more perfect union and to create a national government while preserving the sovereignty of the individual states.

The charge of the Charter Commission was more modest, but nevertheless challenging. Five goals were determined to be paramount. A sixth was added in 2014 as part of the Town's Charter Review update. They are stated here:

- To preserve the best of the past, that is, the best of traditional town government.
- To provide a local government that would enhance coordination and facilitate effective management.
- To ensure accountability throughout the town's governmental structure. Elected officials will be subject to recall; appointed officials will be given a larger measure of supervision.
- To provide improvements in management and administration; budget making and budget administration; municipal and fiscal planning.
- To promote citizen participation. Much of what is good in Orleans local government has been the result of volunteer efforts. The charter includes several features designed to continue that tradition.
- To promote transparency in government; that is, providing information about and access to what government is doing at all levels, and providing the rationale for its decisions to inhabitants of all ages in the Town of Orleans.

PRELIMINARY VOTE TAKEN 11/15/21

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REVISED INTRODUCTION TO INSERT as per Michael Ford, Town Counsel:

From: Michael Ford <mike@fordandfordattorneys.com>

Sent: Monday, March 1, 2021 8:57 AM

To: jfuller184@comcast.net

Cc: John Kelly <jkelly@town.orleans.ma.us>; Berson, Mark <mib@markiberson.com>; Gail Meyers Lavin <gmlavin@outlook.com>; Maxine Minkoff <minkoffmax@gmail.com>; Meff.Runyon@gmail.com; Patricia Fallender <Pfallender@msn.com>; Robin Hubbard <rlhubbard46@yahoo.com>; Walter North <walterenorth@yahoo.com>; Michael Ford <mike@fordandfordattorneys.com>

Subject: RE: Would you please forward this to Town Counsel?

Jon,

The Introduction to the Charter is not part of the Charter per se and therefore is not subject the formalities of Chapter 43B with respect to adoption and amendment thereof.

That said there is nothing to prevent the Town from printing the Introduction (either the original or an updated version) in the Town Code provided it is properly labeled as such.

The Charter Review Committee could make such a recommendation in its report and the Select Board could direct the ecode be amended to include the Introduction. No Town Meeting article is necessary.

Let me know if you have further questions.

Best regards,

Mike