AGENDA

5:30 P.M.

1. Call to Order

2. Roll Call of Members/Select Board Liaison

3. Approval of Minutes:
   a. November 1, 2021

4. Public Comment - charterideas@town.orleans.ma.us

5. Ms Fallender/Ms Hubbard: Tracking Summary Sheets Update
   Ms Lavin: Resource Page Update, Members approve input

6. Mr Fuller: Job description of Orleans “Town Manager”

7. Ms Lavin: Preliminary vote on the wording of the Preamble and Introduction to the Charter

8. Ms Minkoff: Any update on Orleans Committee Matrix

9. Mr Berson: Preliminary vote on allowing Non-registered voters and Non-citizens to vote at Town Meeting, qualifications to vote, and Presumption against Presumption

10. Ms Fallender: Begin Review of Charter Chapters I & II

11. Future Agenda Items:
    a. Nov 22nd: Continue Chapter Reviews: Chapters I & II; Begin Chapters III & IV, Mr Berson
    b. Dec 6th: Meet with the Finance Committee - Requirement for minority report (2-7-7.) Continue Review. Chapters III & IV
    c. Dec 20th: Continue Chapter Reviews: Mr North; Chapters 5 & 10
    d. Dec 27th: Continue Chapter Reviews: Chapters 5 & 10; Chapter 6, Ms Hubbard*
    e. Meet with Town Counsel to assess legality of proposed Charter changes

* If quorum available.

12. Adjournment
DRAFT TWO FOR DISCUSSION AT OPEN MEETING ONLY - TOWN MANAGER

Under Chapter 3, Paragraph 4 - Administration

Note: Any place in the Charter that uses the term "Town Administrator" the title shall be changed to "Town Manager."

3-4-1 The Board shall delegate the responsibility for the administration of the Town's business to the Town Manager. As such the Board shall not administrate the day to day affairs of the Town.

Under Chapter 3, Paragraph 5 - Powers in Intergovernmental Relations

3-5-2 In developing any intermunicipal agreement, the Board shall delegate the negotiation to the Town Manager, who shall carefully weigh all factors, including the cost of establishing, implementing and maintaining the agreement, the cost liability insurance as well as the potential advantages of the proposed agreement. Any agreement shall clearly delineate the responsibilities of the several parties to such agreements. Any proposed agreement shall be presented to the Select Board for approval.

3-5-3 Eliminate this Section.

3-5-4 Renumber this section to 3-5-3. The Town Manager shall normally represent the Town on regional and/or intermunicipal committees. When deemed necessary, the Town Manager shall designate, in writing, a Town employee or other person to represent the Town.

Under Chapter 3, Paragraph 8 - Specific Powers, Administrative Duties, and Responsibilities

3-8-1 Add after the last sentence: The Board may delegate to the Town Manager the power to issue licenses, under the Board's name, that they have designated to be of a short term nature.

Under Chapter 4, Paragraph 3 - Duties

4-3-1 The Town Manager shall be the Chief Executive Officer of the Town and shall be responsible for administering and coordinating all employees, activities and departments placed by General Law, Charter or By-law under the control of the Select Board or the Town Manager. The Town Manager shall implement the goals and policies of the Select Board.

After speaking with the Town Administrator about this draft. He recommended removing, "... and Chief Financial Officer ... " from the 4-3-1.

4-3-2 (C) Second Sentence: The Town Manager shall have the authority to transfer funds within the budget as long as the total budget is not increased.

Under Chapter 4, Paragraph 9 - Removal

4-9-6 In Line 1 after the words "affirmative vote" of at least four members of the Select Board ... . In Line 4 after the word "least" four ... .

Under Chapter 4, Paragraph 10 - Filling Vacancy
New Section 4-4-3 Department of Municipal Finance

(a) There shall be a Department of Municipal Finance under the direct control and supervision of a Director of Municipal Finance who shall be appointed by and responsible to the Town Manager. The Director of Municipal Finance shall be a person especially suited by education, training and previous experience to perform the duties of the office. The Director of Municipal Finance shall be required to be a Certified Public Accountant (CPA) or hold a degree in Public Finance or a related field. The Director shall be the Chief Financial Officer of the Town and be responsible for the supervision and coordination of all municipal finance operations that are placed within the Department of Municipal Finance by this Charter.

(b) The Department of Municipal Finance shall include accounting, treasury/collection and property assessing. The responsibilities of the Director of Municipal Finance shall include, but not be limited to:

1. Preparation of rules, regulations and instructions relating to financial activities that, when approved by the Town Manager and the Select Board, shall be binding upon all Town agencies and employees.

(c) Examination and approval of all warrants for payment as not being fraudulent, unlawful or excessive prior to submission to the Town Manager, or in the event of a vacancy in that office, or the absence or disability of the Town Manager to act, to the Select Board.

1. Carrying out a continuous audit to assure that the Town Accountant, Town Treasurer and Assessor are following the Town financial policies, state law, and best practices and their records match; and

2. Making an annual report, to be included in the Town’s Annual Report, giving a statement of all receipts and expenditures of the Town for the past fiscal year.
REVISED DRAFT 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.

REVISED DRAFT PREAMBLE

We, the people of the Town of Orleans, Massachusetts, reaffirm the right to manage our affairs, participate responsibly in the conduct of local government, and take the fullest advantages inherent in the home rule amendments to the Constitution of the Commonwealth. We acknowledge our common property rights and powers to preserve, protect, conserve, and maintain the natural resources and the environment of our Town in perpetuity. We also acknowledge, with respect, that we are inhabiting the traditional lands of the Nauset and Wôpanâak (Wampanoag) peoples who have always existed here. We value their roles as past, present, and future guardians of this land. We therefore adopt the following Home Rule Charter for this Town.

Drafted 11/01/21 by the CRC