



CHARTER REVIEW COMMITTEE

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-0632

Minutes, December 10, 2009

Present: Francis King; Donald Gauthier; Kathy Anderson; John Bartosiewicz; Leslie Vigneau; Michael O'Connor; Thomas Reilly, Jack Alicandro

Absent: Sandra Cristo

The meeting was called to order at 7:07 p.m. in the Town Hall.

Members reviewed the minutes from December 3, 2009, comments and concerns were addressed. A motion was made by M. O'Connor to accept the previous week's minutes, seconded by L. Vigneau. Motion carried unanimously.

Members began to review the town charter going in increments of sections.

Members agreed to not make any changes to the following of Article 1:

- Section 1-1
- Section 1-2
- Section 1-3
- Section 1-4
- Section 1-5
- Section 1-6
- Section 1-7

Members agreed to not many any changes to Article 2 Section 2-1.

Changes were made to Article 2 Section 2-2. The original is as follows:

"The moderator, elected as provided in section 3-4, shall preside at all sessions of the town meeting. Annually, at the first session of the annual town meeting, the moderator shall appoint a deputy moderator to serve until the next annual town meeting, or until a successor has been chosen and qualified. The deputy moderator shall serve as acting moderator in the event of the temporary absence or disability of the moderator. The appointment of a deputy moderator shall be subject to ratification by the town meeting. The deputy moderator shall have all of the powers of the moderator when presiding at town meeting sessions, but shall have no other powers or duties of the moderator.

The moderator, at town meetings, shall regulate the proceedings, decide all questions of order make public declaration of all votes and may exercise such additional powers and duties as may be authorized by general law, by this charter, by by-law or by other vote of the town meeting.”

The following is the proposed changes made by the members to Article 2, Section 2-2:

“The moderator, elected as provided in section 3-4, shall preside at all sessions of the town meeting. In the event of the temporary absence or disability of the moderator, town meetings will be presided by per general law.

A motion was made by M. O’Connor to accept the proposed changes, seconded by L. Vigneau. Motion carried unanimously

The moderator, at town meetings, shall regulate the proceedings, decide all questions of order, make public declaration of all votes and may exercise such additional powers and duties as may be authorized by general law, by this chapter, by by-law or by other vote of the town meeting”

Members agreed to not make any changes to the following of Article 2:

- Section 2-3
- Section 2-4
- Section 2-5
- Section 2-6
- Section 2-8
- Section 2-9
- Section 2-10
- Section 2-11

Members agreed to put Section 2-7 aside to be reviewed and discussed and a motion was made by T. Reilly and seconded by K. Anderson to ask the Town Manager of any legal opinions from the Town council on any past issues. After the necessary information is gathered, Section 2-7 will be further reviewed. Motion carried unanimously.

Members agreed to not make any changes to the following of Article 3:

- Section 3-1(a)

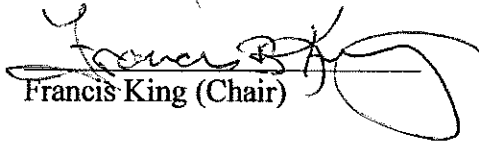
The committee discussed the pros and cons of Section 3-(b-h) and needed to obtain more information in order to come up with a solution.

J. Bartosiewicz stated his personal opinion that it was not right to accept the changes made by the Town Manager in the minutes from his meeting with the committee and that this was an internal issue which should have been dealt with the members of the Board themselves. He believes that if the Town Manager has the ability to review and revise his minutes then all the other boards and spokespeople that the committee met with should be given the same opportunity.

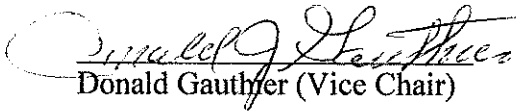
Motion made by T. Reilly to adjourn at 9:04 p.m. seconded by J. Alicandro. Motion carried unanimously. The next scheduled meeting is on December 17, 2009 at 7:00 p.m. in the Town Hall.

Respectfully submitted,

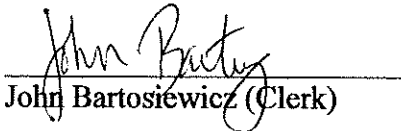
John Bartosiewicz, Clerk, Charter Review Committee


Francis King (Chair)

Kathy Anderson

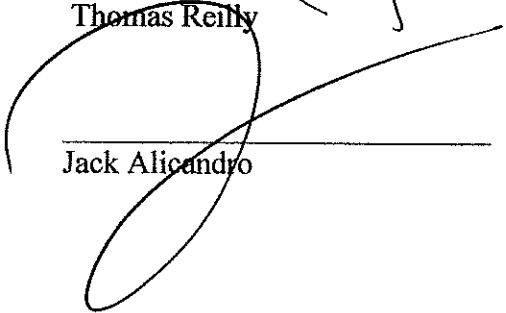

Donald Gauthier (Vice Chair)


Michael O'Connor


John Bartosiewicz (Clerk)


Thomas Reilly

Leslie Vigneau



Jack Alicandro