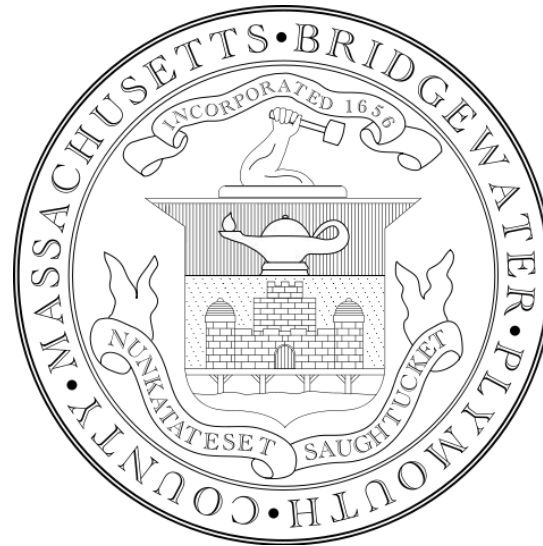

Bridgewater Charter Review
Committee (CRC)



***2021 FINAL Charter
Recommendations***



- Background
- Strategy
- General Recommendations
- Article Specific Recommendations
- Potential options for Recommendation Rollout
- Next Steps

- Committee formed in May 2020
- CRC Committee Members:
 - *Edward Ivaldi (Chair)*
 - *Cleonie Mainvielle (Vice Chair)*
 - *Darren Boston*
 - *Thomas Golden*
 - *Janet Hanson*
 - *Steven Persell*
 - *Scott Pitta*
- Held virtual (Zoom) meetings 2-3 times / month ... # Meetings Held = 32



- June 2020 – Aug 2020
 - **Organized Committee**
 - **Reviewed / Incorporated Existing Information**
 - **Identified / Gathered Data Resources**
 - **Established Baseline Assumptions /Priorities**
 - **Finalized Schedule / Timeline**
- Sept 2020 – Nov 2020
 - **Developed / distributed citizen survey**
 - **Developed / distributed key employee questionnaire**
 - **Conducted 3 Public Forums**
- Dec 2020 – Apr 2021
 - **Conducted in depth line-by-line charter review**
 - **Reconciled citizen / employee feedback**



- **Minimize amount of re-work from prior charter review efforts**
 - Utilize 2014 CRC and 2017 TC-R&P Charter Recommendations as Baseline
- **Create realistic expectations**
 - Identify most important areas utilizing 10 years of town charter experience
 - *What's working well vs. areas that need improvement*
 - Focus on fixing "key" town government issues
 - Enhance overall clarity and consistency of the charter
- **Utilize Citizen / Employee Feedback**
 - Last survey was done by TGSC (*Town Government Study Group*) in 2008

Recommendations (General)



- Added Table of Contents
- New / Updated Definitions
- Gender Neutral Language
- “Town” to “City” References
- M.G.L. Usage Consistency
- Standardized computation of time
- Grammatical Updates
- Hyper-links that direct readers to supporting document/reference materials
 - *Due to potential maintenance challenges, these should be cared for outside the charter*



Article I. Incorporation and Authority

- Removed Definitions and moved to the beginning of Charter
- Sec 2-1.b Short Title
 - ✓ **Changed Home Rule Charter to “Special Act Charter”**



Article II Legislative Branch

- Sec 2-1.b Eligibility
 - ✓ **District Councilor Term Vacancy Update (> than or < than 12 month update)**
- Sec 2-1.c Term of Office
 - ✓ **Begins on “Next Business” day following the election**
- Sec 2-1.d Prohibitions
 - ✓ **Itemized for improved readability**
 - ✓ **Added #4 to address councilor state ethics law violation**
- Sec 2-1.e Term Limits
 - ✓ **Councilor Tenure cannot exceed four elections to the City Council**
 - ✓ **Prior service in either Councilor position does not limit eligibility**



Article II Legislative Branch

- Sect 2-3.c.5 Council President; Election; Eligibility; Term of Office; Powers and Duties
 - ✓ **Specific Date for State of City Message (*before March 15 annually*)**
- Sec 2-5.c-d Filling of Vacancies
 - ✓ **Clarified appointment process**
 - ✓ **Added content for incumbent re-elected by write-in**
- Sec 2-6.c Rules of Procedure
 - ✓ **Added “should be posted on City’s website”**
- Sec 2-6.c .7 Rules of Procedure
 - ✓ **City Council members are responsible for providing follow-up to citizen comments**
- Sec 2-6.c .14 Rules of Procedure
 - ✓ **Added statement requiring communication between Councilors and constituents**



Article II Legislative Branch

- **Sec 2-7.a Measures**
 - ✓ **Changed effective time period from 72 hrs. to keep at 30 days**
- **Sec 2-9. Publication Requirements**
 - ✓ **Posting at least 10 days prior to its final passage**
- **Sec 2-12.a Compensation, Expenses**
 - ✓ **Each City Councilor shall receive an annual stipend of \$3,000, but shall not be eligible for any other City provided benefits or pension**



Article III. Elected Officials

- Sec 3-1. General Provisions
 - ✓ Eligibility for elected office requires holding no other elected or appointed City position
 - ✓ City employees are ineligible to serve as a City council member
 - ✓ City employees may not be elected to, or considered for appointment to, any other multi-member body of the City **without first obtaining prior and annual approval from City Council in consultation with the City Attorney**
- Sec 3-2 Library Trustees
 - ✓ Amendments made to clarify/expand roles & responsibilities
- Sec 3-3 Recall Provision
 - ✓ **Reduced at large councilor voter requirement from 500 to 400**
 - ✓ Adopted 2017 TC R&P verbiage, with minor grammatical changes
- Sec 3-4 City Clerk
 - ✓ **City Clerk stays elected**



Article IV. Town Manager

- Sec 4-1. Appointment, Qualifications, Term of Office
 - ✓ The City Council shall appoint a City Manager by a majority vote of the entire membership of the City Council, to a **maximum 5 year renewable term**
 - ✓ **The City Manager must serve at the will of the Council, and is bound by whatever legislative policy action the City Council takes.**
- Sec 4-2.19
 - ✓ **To effectively engage with the City Council to develop long-term goals for the City**
- Sec 4-2.25
 - ✓ **To promote partnerships by engaging in regular 2-way effective communication in multiple formats**
- Sec 4-2.26
 - ✓ **To conduct, no less than quarterly, informational sessions with departments and community-based organizations, to promote continuous collaboration**



Article IV. Town Manager

Sec 4-7 Temporary Absence

- ✓ The City Manager shall appoint a person from the department heads to act when the City Manager is absent for 30 days or less
- ✓ The City Council shall appoint a person to act for the City Manager in the event the City Manager is absent for more than 30 days
- ✓ No person appointed by the City Manager to act shall serve more than twenty-one days without approval by the City



Article V. Administrative Organizations

- Section 5-3.a City Attorney - Appointment
 - ✓ There shall be a legal officer of the City appointed by the City Council to a maximum 5 year renewable term



Article VI. Financial Management

- Section 6-3.c Budget to Actual Assessments
 - ✓ The **City Manager shall conduct a mid-year budget to actual comparison, showing significant variances, for review and presentation to the City Council.** The mid-year assessment will be conducted on or before January 1, and published on the City's official website, not less than fourteen (14) days after review with the City Council.
- Section 6-6.b.3 Capital Improvement Program Contents
 - ✓ Added the following: **A list of currently approved projects and their status**
- Section 6-8.2 Annual Independent Audit
 - ✓ The City Council shall designate no fewer than three of its members to serve as an audit committee. The committee shall:
 - 1) **Lead the process of selecting an independent auditor;**
 - 2) **Provide input as needed to the independent auditor to help identify any matters of concern with respect to internal controls; and**
 - 3) **Receive the report of the internal auditor and present that report to the City Council with any recommendations from the committee.**



Article VII. Elections and Related Matters

- No Changes



Article VIII. Citizen Participation Mechanisms

- Section 8-1.b Referral to City Attorney
 - ✓ The City Clerk shall **deliver a copy of the petition to the City Attorney within one business day.**
- Section 8-1.c Submission to City Clerk
 - ✓ Re-organized for better readability, but no change to content
- Section 8-2 Citizen Referendum Procedures; Referendum Petition; Effect on Final Passage
 - ✓ Lengthened citizen petition timeframe from **10 to 30 days** after passage of final measure
- Section 8-7.b Group Petitions; Action Required
 - ✓ Added **email distribution** of hearing notice to petitioners



Article IX. General Provisions

- Section 9-1.a Conflicts of Interest
 - ✓ **Re-structured for improved readability.....no content change.**
- Section 9-6.d Computation of Time
 - ✓ **Added" The first day shall begin at 12:00am the day following the triggering event."**
- Section 9-7 Removal of Member of Multiple Member Appointed Bodies
 - ✓ **Expanded section to clarify the removal process between appointing authorities.... as City Manager and as City Council**



Article IX. General Provisions

- **Section 9-9 Enforcement of Charter Provisions**

- ✓ Added this new section to identify and strengthen oversight of charter enforcement.
- ✓ It is the **responsibility of all elected officials to ensure the enforcement of and compliance with this charter**. In the event there is an allegation of a violation of the charter or failure to follow its provisions, such **allegation must be referred to the city council president** who shall in writing, cause notice to be given to such agency or employee via the City Manager, directing compliance with the Charter.



Article X. Transitional Provisions

- Section 10-1 Time of Taking Effect
 - ✓ Removed non-applicable verbiage
 - ✓ This Charter shall become fully effective upon ratification by the voters as provided for by the Massachusetts General Laws.



- **Improve timeframes and choices for voters over 2015 - 2019 process**
- **Potential packaging of recommendations** (*Controversial vs. Non-Controversial*)
- **Non-Controversial** (*Present as a single charter question*)
 - Grammatical Updates (*Errors of typography, spelling, grammar, syntax, formatting, punctuation*)
 - Gender Neutral Language
 - Computation of Time
 - M.G.L. Usage Consistency
 - Library Trustees Updates
- **Controversial** (*Presented as multiple charter questions*)
 - “Town” to “City” References
 - Town Councilor Term Limits
 - Town Councilor Stipend



1. Town Council / Town Attorney Internal Review
2. Town Council Presents to Public and Solicits Feedback
3. Town Council Final Charter Content Review
4. Town Council / Town Attorney Special Act - Ballot Packaging
5. Send to State Legislature for Approval
6. Citizen Vote



Questions / Feedback