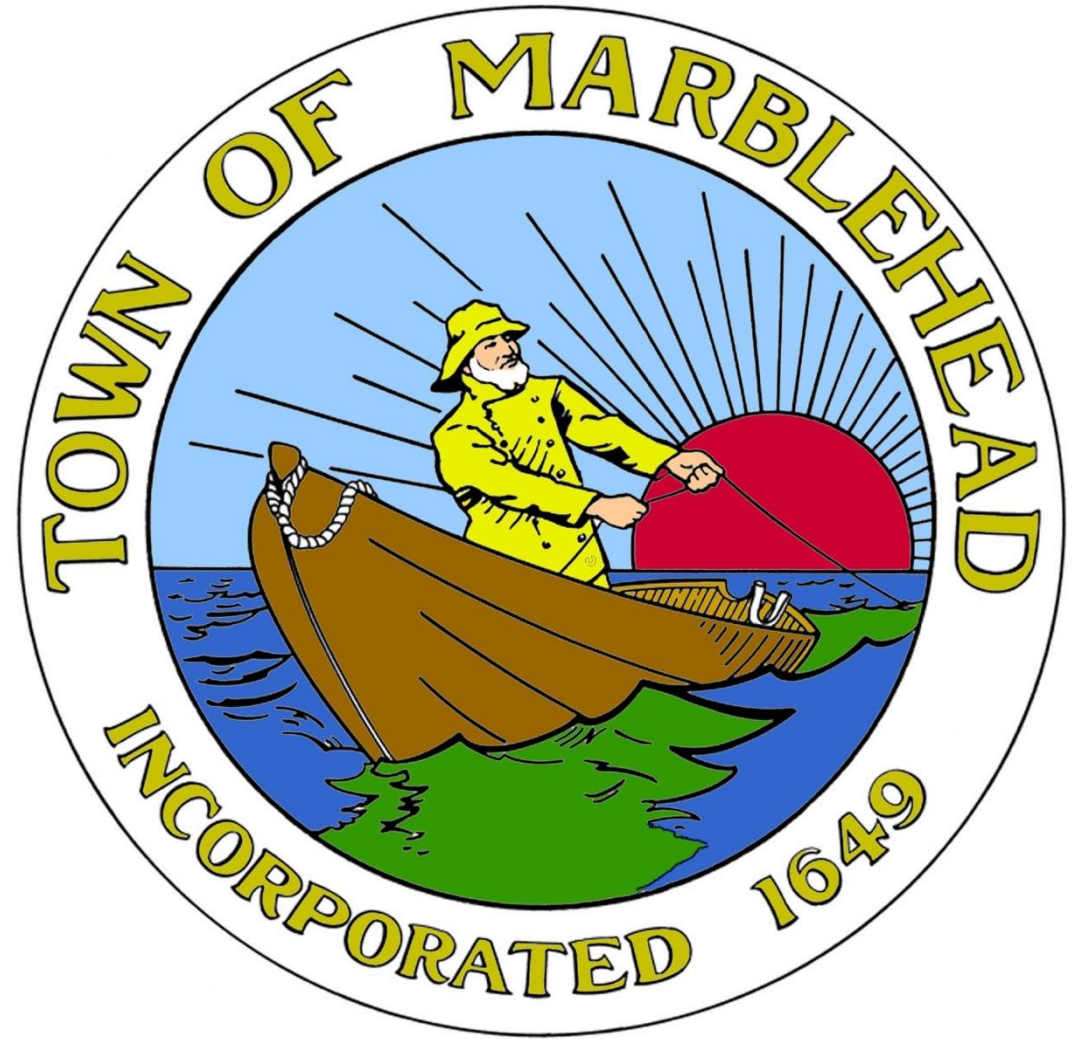


Marblehead Town Charter Committee

Introduction & Progress Update

October 22, 2024



SLIDE ONE: OPENER NARRATIVE

Good evening. I call this public forum to order.

Thank you for joining us.

Please hold any questions and comments until after this brief presentation.

My name is Amy Drinker. I'm chair of the Marblehead Town Charter Committee.

With me this evening are other members of the charter committee.



Marblehead Town Charter Committee

Amy Drinker, Chair

Rossana Ferrante, Vice-Chair

Sean Casey

Tom Massaro

Bill Conly

Caleb Miller

Amy Danforth

Victor Wild

Ron Grenier

Jim Zisson

Seamus Hourihan

Thatcher Kezer, Town Administrator (ex-officio)

Karen Canfield and Mel Kleckner, Project Team from the Collins Center for Public Management (UMass, Boston)

Moses Grader, Liaison to Select Board

Kyle Wiley, Administrative Aide to the Select Board and Assistant to the Charter Committee

SLIDE TWO: Marblehead Town Charter Committee NARRATIVE

The charter committee brings a variety of perspectives and experience to the table but we share a common thread: we care about our town and carrying out our charter mission.



Marblehead Town Charter Committee Mission

In crafting the Town of Marblehead's first Charter for our fellow citizens, we endeavor to comprehensively examine how effectively, efficiently, and fairly our local government's structure, authorities, and processes are organized and operate.

In the process, we will be mindful of which current features merit changing and which should remain unchanged. We pledge to prepare and present a product built on the values of thoughtful deliberation and community involvement, guided by what is in the town's best interests.



Purpose of a Town Charter

To create a document that clearly defines government structure, organization, and essential functions

A Charter Does:

- ✓ Memorialize key governance principles beyond bylaws and regulations
- ✓ Create a primary, clear source of information about how Town operates to improve government transparency and community understanding
- ✓ Provide the opportunity to analyze what works, what could benefit from improvement
- ✓ Increase community understanding of how town government works

A Charter Does NOT:

- x Resolve financial challenges impacting department budgets, staffing needs, or services
- x Dictate every-day operational tasks for town employees and volunteers
- x Necessarily create a more centralized government structure

SLIDE FOUR: Purpose of a Town Charter NARRATIVE

In Massachusetts, a charter serves as a town's fundamental governing document.

It is the local constitution that outlines the structure and powers of the town's government.

A town charter is a single document that provides a framework for decision-making, defines the roles of officials and committees, and empowers a town to manage its own affairs.

Developing a charter provides the opportunity to analyze what works, and what may be improved in town government functions.

A town charter does not resolve financial challenges. It is not intended to micromanage daily operations for town employees, town officials, or boards and committees. It is not meant to disrupt the balance of power between the executive and legislative branches of government but instead clearly define them.



Benefits of a Charter for Marblehead

- **A Marblehead town charter will articulate:**
 - ✓ A more effective, responsive, and adaptable government because the rules of governance are clear, which then improves our ability to self-govern
 - ✓ A town government that operates with more clarity, speed, and unity around priorities with clear roles and accountability
- A charter describes who has responsibility and authority for the various components of town government

NOTES:

- Operating a town has grown more complex over time; multiple entities to navigate among and between
- Marblehead is dependent on volunteers with time, commitment, and expertise: a charter explains how things work
- Marblehead's bylaws have uneven definitions of different town functions, and in some cases are exceptionally sparse
- Current roles (for example, the Town Administrator, created in 1995) are not well-defined in our bylaws

SLIDE FIVE: Benefits of a Charter for Marblehead NARRATIVE

Marblehead has operated for 375 years without a charter.

Why create one now?

Because it provides the town with the opportunity to define for itself the way it governs. It clarifies the rules of local governance by describing who has responsibility and authority for each component of our town government.

Marblehead has a set of bylaws that serve as its rulebook. But bylaws are not intended to address the fundamental structure of governance that is described in a charter.

Marblehead has many talented residents who step forward to serve on elected and appointed boards, committees, and commissions. Creating a charter that documents how our town government works provides a framework that is simple, comprehensible, and encourages citizen participation.



Marblehead's Town Charter Will Include:

- Preamble
- Existence and Authority and Administrative Organization
- Overview of Marblehead Town Government
- Legislative Branch: Town Meeting and Town Moderator
- Executive Branch: Select Board
- Elected Boards, Committees, Commissions, and Positions
- Appointed Boards, Committees, and Positions, specifically the Town Administrator, who reports to the Select Board
- Comings and Goings: Appointments, Vacancies, Resignations, Removals, and Recalls
- Establishment and Operation of Town Boards, Committees, and Commissions
- Finances and Fiscal Procedures
- Elections
- Reports, Notices, and Filings
- General Provisions, Including Definitions

SLIDE SIX: Marblehead's Town Charter Will Include NARRATIVE

Currently, this is how the charter committee is looking at the organization of charter sections. As we continue to meet with boards, committees, officials, and department heads, this charter structure may change, but it covers the essential components. The intention is to organize content in a way that Marblehead citizens will find useful in understanding how Marblehead's government works.



Marblehead Charter Committee Objectives

- Review other town charters for reference and language that may apply to Marblehead
- Meet with Marblehead's elected/appointed boards, elected/appointed officials, and major department heads to understand their operations, perspectives, and challenges
- Conduct public forums to educate and inform the community on the committee's progress
- Listen to feedback and preferences, such as Marblehead's longstanding tradition of Open Town Meeting
- Develop a proposed charter to submit to the Select Board for its approval to present to the voters at Town Meeting
- For future consideration: compile a report listing potential changes to bylaws and/or other town governing policies to improve town government efficiency

SLIDE SEVEN: Marblehead Town Charter Committee Objectives

NARRATIVE

In drafting Marblehead's charter, the charter committee considers using or modifying phrasing from existing town charters, including Concord, Groton, Harvard, Longmeadow, and Swampscott. The Collins Center also provides recommendations for reviewing charters that may have language to consider in drafting particular Marblehead charter sections.

Right now the Charter Committee is focused on clarifying and establishing the way Marblehead government operates. Meeting with elected and appointed boards, officials, and department heads, provides the committee with real-time information about how town government works and brings to light possible discrepancies with town bylaws or Mass General Laws.

An important part of the charter committee's process is listening to community input and understanding longstanding traditions such as Open Town Meeting.

The final charter draft submitted to the Select Board may simply be a reflection of how Marblehead currently does business and include a report addressing considerations for future charter revisions.



Marblehead's Charter Process & Possible Timeline

- **Spring 2024:** Initiated by the Select Board, who appoint the 11-member Charter Committee
- **June 2024 – April 2025:** The Charter Committee meets twice a month in open session and solicits input from town officials, boards, and residents to gather input and draft charter language. The committee is assisted by the Collins Center for Public Management (UMass Boston)
- **February 2025:** The Charter Committee will assess its progress and determine a timeline to complete its charter work, including:
 - After town counsel review, the Charter Committee presents its final draft charter to the Select Board for approval
 - The Select Board submits an article at Town Meeting (annual or special) to approve the town charter
 - If approved by Town Meeting, the proposed charter is submitted to the Massachusetts Legislature as a Home Rule Petition (review is for legal conformity with Mass General Laws, not substance)
- **Once approved by the Legislature and signed by the governor, the Charter must proceed to a Town-wide vote for approval before becoming law**

SLIDE EIGHT: Marblehead's Charter Process and Possible Timeline

NARRATIVE

The charter process remains the same no matter the timeline schedule. The charter committee is responsible for formulating charter language. The Collins Center will review draft language and note any missing content, as well as conflicts with town bylaws or Massachusetts General Laws. Town counsel will also review the charter before the final draft is submitted to the Select Board. The charter committee's timeline is subject to change if more time is needed for any component of drafting, language review, or public feedback.

Please note that the charter must be approved by Marblehead citizens at town meeting and then, after approval by the Legislature and signed by the governor, the Charter must proceed to a Town-wide vote for approval before becoming law.



Charter Trends Across Towns in Massachusetts

- Standardize procedures for the conduct and operation of local government administration and the operation of boards and committees
- Removal of gender references
- Requirement for periodic reviews of charter document
- Emphasis on budget process
- Requirement to develop and maintain a long-term capital plan
- Acknowledgement and adaptations to emerging technology
- Recognition of the challenges of broad participatory democracy
- Reduction in the number of elected officials/boards combined with centralization of management under an appointed town manager or town administrator

SLIDE NINE: Charter Trends Across Towns in Massachusetts NARRATIVE

These trends indicate issues many towns are facing. These trends will not necessarily be components of Marblehead's charter, but as part of the charter committee's due diligence, they are important to recognize.

The charter committee acknowledges the challenges of sustaining a broad participatory democracy on the local level. While some towns have voted to change from an open town meeting to a representative town meeting, the Marblehead charter committee recognizes Marblehead's longstanding commitment to an open town meeting.

Many towns, including Marblehead, face the challenge of how to support a vibrant local democracy and increase public participation. Marblehead relies on its citizens to serve on numerous boards in either elected or appointed positions. Having a charter document that explains our town structure and fosters engagement is an important tool in sustaining our way of governance.



Stay Engaged!

MTCC Online

<https://www.marblehead.org/town-charter-committee>

Join our meetings either in-person or hybrid link:

The Town Charter Committee meets on the 2nd Thursday and 4th Tuesday of the month at 6:30 p.m. at Abbot Hall, 188 Washington Street

MTCC minutes and agendas available here:

<https://www.marblehead.org/minutes-and-agendas>

Questions? Comments? Email us:

Charter_Committee@marblehead.org

SLIDE TEN: Stay Engaged! NARRATIVE

Marblehead's charter document is for Marblehead's citizens. The charter committee welcomes public engagement at our open meetings by including an agenda item for "public comment." We also have an email address if that is a preferred way for anyone to provide feedback.

This presentation will be posted on the Town Charter Committee web page marblehead.org/town-charter-committee.



Thank You for Listening. Now It's Our Turn.

- Do you have any questions about this evening's presentation?
- What information would you like to learn more about in future public forums?
- What other factors should the Charter Committee consider in its analysis of Marblehead's current governance structure?
- What is your biggest concern about Marblehead being governed by a town Charter?

SLIDE ELEVEN: Thank You for Listening. Now it's Our Turn.

NARRATIVE

This presentation is intended as an overview of the charter initiative.

Charter committee members are here to listen and answer any questions you may have.

If you would like to make a comment or ask a question, please state your name and street address.

Thank you.