


Update on Draft Charter Language Development

December 12, 2024
Compiled by Sean Casey



Town Charter
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Current Organization

- PREAMBLE
- ARTICLE 1: EXISTENCE AND AUTHORITY
- ARTICLE 2: ADMINISTRATIVE ORGANIZATION OF MARBLEHEAD TOWN GOVERNMENT
- ARTICLE 3: TOWN MEETING (Legislative)
- ARTICLE 4: SELECT BOARD (Executive)
- ARTICLE 5: ELECTED BOARDS, COMMITTEES, COMMISSIONS AND POSITIONS
- ARTICLE 6: APPOINTED BOARDS, COMMISSIONS, COMMITTEES, AND POSITIONS
- ARTICLE 7: APPOINTMENTS, VACANCIES, RESIGNATIONS, REMOVALS, AND RECALLS
- ARTICLE 8: ESTABLISHMENT AND OPERATION OF TOWN BOARDS, COMMITTEES, AND COMMISSIONS
- ARTICLE 9: FINANCES AND FISCAL PROCEDURES
- ARTICLE 10: ELECTIONS
- ARTICLE 11: GENERAL PROVISIONS



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Where Everything is with All the Drafts

- 95% of the charter is written in draft form
 - Some Articles have not yet been reviewed by anyone
 - Some Articles have been initially reviewed and commented on by Jim and Victor
 - In the process of incorporating these comments
- The Collins Center has commented on those pieces previously reviewed by the committee
 - Town Meeting, Town Moderator, and Select Board



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Where Everything is with All the Drafts (cont.)

- Other edits/updates in the works
 - Several sections need to be refined based on discussions with town officials before initial draft will be complete
 - Some minor edits need to be made throughout a number of sections for the consistency of language and clarity
 - Example: *Powers Duties and Responsibilities* first sentence in sections on boards, committees, and commissions

The _____ shall have the powers, duties, and responsibilities given to it under the constitution, general laws and Special Acts of the Commonwealth, and as enumerated by this charter, by town by-laws, or by other vote of town meeting



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Starting Points

- The vast majority of the draft charter language reflects how Marblehead town government currently works
 - A starting point for answering the “nine questions” (slide 10)
- Draft text that goes beyond current government operations includes:
 - Whether to give (some/all) boards ability to appoint ad hoc advisory bodies
 - Removal and recall provisions
 - Parts of establishment and operations of town boards



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Starting Points (cont.)

- Some articles, while reflecting the current structure of town government, will need a more comprehensive review/examination:
 - Are we focused on what we want to focus on?
 - Are we going too far into the weeds?
 - Are we not giving sufficient detail?
- These include:
 - Article 2: Administrative Organization
 - Section 4.2: Town Administrator
 - Article 9: Finances and Fiscal Procedures
 - Article 10: Elections



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When Drafts Go to the Committee

- Numbering is the same as we have been following with draft language to date: Each sentence in each section will have a separate number
 - Number will never change between versions
 - Assists with providing comments, incorporating edits, and tracking the evolution of versions over time
- Over 90% of the sentences in the draft charter will have annotation per our current practice



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When Drafts Go to the Committee (cont.)

- Still working on version configuration between the articles and sections and the larger consolidated document, but Sean and Amy will always have “current versions”
 - After the first version that the committee reviews, each subsequent version will include a change log



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Timing

- A full working draft will be available to the TCC no later than January 1st, 2025.
- Once that document is on the table for discussion by the TCC, it will also be posted on the TCC web page



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TCC's Nine Questions for Consideration

1. Town Meeting: open or representative?
2. Should any elected positions/bodies be changed to being appointed?
3. Are there any potential appointed bodies or town functions that should have elected representation that currently do not?
4. Should any current responsibilities and resources associated with elected bodies or appointed bodies and positions be shifted?
5. Should there be any other changes (additions or subtractions) that should be made to any appointed or elected body or position?
6. How should we document the role of the Town Administrator?
7. Are there any town processes that need to be changed or better defined?
8. Are there any overlapping areas of responsibility that need clarification?
9. Are there things we need to put in the charter that are not covered above?



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