

John Brescher

From: Tucker Holland <tholland@nantucket-ma.gov>
Sent: Wednesday, January 03, 2018 1:00 PM
To: John Brescher
Cc: Melissa Murphy
Subject: Charter = Article VI General Provisions

Hi John,

Happy New Year!

I took a look through the Town Charter – Section VI. There weren't any obvious necessary revisions that struck me, yet we may want to revisit again later in the process. The one area that I just had a question about was – there is obviously a lot of consideration given to the term of the original Charter Commission. As the "next generation" intended to update the Charter from time to time, does more need to be said here (or in another section) on this topic?

I also have a question / something for consideration under Article 2 – Legislative Functions. Section 2.6 suggests that only one spokesperson for all nonresident is entitled to speak at an ATM on all matters before ATM. Given seasonal residences comprise 64% of our housing, and nonresidents pay probably upwards of 80% of the property taxes, should they:

- Have a greater voice?
- Be allowed more than one spokesperson (perhaps one person for per issue / warrant article)?
- Be allowed multiple speakers on any given warrant article?

I am not making a recommendation one way or another at this stage, yet recent discussions around a levy proposal by Howard Dickler have brought this topic to the fore. I think it something worthy of discussion.

LMK if there is anything further in particular I should do in prep for next Tuesday's meeting.

Best,
Tucker

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To: Town Government Study Committee
From: John B. Brescher
Date: December 13, 2017
Re: Town Charter Review – Articles III & IV

Article III: Board of Selectmen

Section 3.1: Consider number of Selectmen; terms; term limits

Section 3.3: Check with other towns/municipalities re: standards for eminent domain takings (necessary to have Town Meeting approval?)

Section 3.4(a)(2): Why does Board of Selectmen appoint Town Counsel? Who then hires them and negotiates contract?

Section 3.4(a)(6): Why aren't planning board alternates elected as well?

Section 3.5(h): Remove HDC appeals

Article IV: Town Administration

Section 4.1(b): *Are the powers separated enough for the Board of Selectmen v. Town Manager?*

Section 4.2: Who handles personnel? HR?

Section 4.2.(d)(5): May v. shall? I'm not sure if this role or responsibility should be expanded or revised.

Section 4.2(d)(10): How do legal proceedings practically work? Who decides if the Town should defend themselves? What is the relationship of Town Counsel to BOS/Town Manager/Boards? Who pays bills? What if another Board wants separate counsel?

Section 4.3(b): Which board/committee members are delegated to Town Manager? Pros v. cons of lessening burden of BOS?

Section 4.4(a): Update for PLUS? Any other offices that have been added and should be included since 2003?

Section 4.4(b): Is Park and Rec still exempt from Town Admin control?

Section 4.9: Interesting the role of Town Manager re: board staff that is not within purview of Town Administration.