

PROPOSED CHARTER

FOR THE

TOWN OF HOPKINTON

WHAT CHANGES....

WHAT STAYS THE SAME....

- **THE TOWN COUNCIL REMAINS AN ELECTED BODY OF FIVE MEMBERS RESPONSIBLE FOR THE LEGISLATIVE AFFAIRS OF THE TOWN AND APPOINTMENTS TO TOWN BOARDS AND COMMISSIONS.**
- **THE TOWN CLERK WILL REMAIN AN ELECTED OFFICIAL RESPONSIBLE FOR THE STAFFING AND ADMINISTRATION OF THE OFFICE OF THE TOWN CLERK.**
- **THE TOWN MANAGER WILL BE APPOINTED BY THE TOWN COUNCIL TO ADMINISTER THE BUSINESS OF THE TOWN ON A DAILY BASIS, APPOINTING AND OVERSEEING ALL TOWN EMPLOYEEES.**
- **THE FINANCIAL AFFAIRS OF THE TOWN WILL BE DECIDED BY THE VOTERS AT THE ANNUAL FINANCIAL TOWN MEETING.**

Hopkinton Charter Commission

October, 2002

What is a Town Charter and Why Do We Need One?

- A charter is to Town government what the U.S. Constitution is to our nation as a whole. It sets forth the principles by which we intend to govern ourselves and the means by which we intend to do so. Think of it as a plan, and a strategy to make that plan a reality.
- The Town Charter enables a community to control its own destiny. Thirty-six of Rhode Island's thirty-nine cities and towns have recognized that fact, and have enacted charters. With a charter in effect the town will be able to govern itself and will no longer require the approval of the State Legislature in order to enact certain ordinances, as they do now. Ask yourself, what business is it of legislative representatives from other cities and towns to determine what we do with ours?

Why and How Does This Charter Propose to Change the Way We Govern Ourselves?

- The "why" is pretty straightforward. The business of governing a town as we enter the twenty-first century is a large and complex enterprise. In fact, looked at as a business, our town government is among the largest in the community whether you look at the number of individuals employed, the amount of money managed or the variety of services offered.
- Successful businesses require effective day to day management to achieve and maintain that success. Hopkinton struggles to accomplish this goal through the efforts of a five-member part-time Town Council that meets twice a month and balances both legislative and administrative responsibilities. Despite the hard work of our Council, this simply doesn't work very well anymore.
- To achieve the goal of obtaining effective day to day management of the town's affairs in an increasingly complex environment, the Charter Commission proposes that we adopt a "Council-Manager" form of government, in which the Town Council acts as our Legislative body, setting policy and enacting ordinances, and appoints a professional Town Manager to administer the Town's business as its chief executive officer.

What Would a Town Manager Do?

- The Town Manager would prepare a budget for presentation to the Finance Board and the Town Council. The Finance Board could recommend changes to that budget, the Council retains its present authority to amend the budget, and you, the voter, would have the final authority to modify or approve it at our traditional Financial Town Meeting.

- **The Manager would be the Town's chief administrative officer. In that capacity, he or she would be responsible to the Town Council to oversee the operations of town government, including the hiring and discipline of all Town employees in accordance with personnel procedures adopted by the Council.**
- **The Manager would be responsible to negotiate and administer labor and other contacts for the benefit of the town.**
- **The Manager would be responsible for the efficient function of all Town departments, boards and commissions, the proper administration and enforcement of laws and ordinances, the investigation of complaints regarding Town services or employees, and the protection of Town property.**
- **The Manager would serve as the Town's Purchasing Agent and Grants Administrator.**

What Would The Town Council Do?

- **The Charter maintains a five-member Town Council elected at-large every two years, as is presently the case.**
- **The Council would set policy for the Town by enacting, amending and repealing ordinances. It would act in most respects at the local level as the General Assembly (Legislature) does for the State. It would have no administrative responsibilities.**
- **The Town Council would hire, negotiate a contract with, and could fire, as it sees fit, the Town Manager. The Council would be required to select the Manager solely on the basis of executive and administrative qualifications, especially as regards municipal government. A majority vote of the entire Council would be necessary to fire a Manager and the reasons for doing so must be made public unless the Manager objects.**
- **The Council would appoint members of all boards and commissions, including a Charter Review Commission whose job it would be to recommend appropriate revisions to the Charter, not less often than every five years.**
- **The Council would establish a personnel classification system and salary structure for Town employees.**
- **The Council would serve as the Town's Licensing Board.**

What Stays the Same Under the Charter, As Proposed?

- **Town spending must still be approved by the Council and by the voters at the Financial Town Meeting (FTM).**
- **The Council, School Committee, Town Clerk, Moderator, Town Sargent, Director of Public Welfare, District Moderators and Clerks will still be elected positions.**
- **The right to add warrant items to the budget for consideration at the FTM by petition of twenty-five or more voters is retained.**
- **The Town Council retains legislative functions.**
- **The elected Town Clerk's duties as custodian of Town records, licensing agent, recorder of deeds and vital statistics, and Clerk of the Council, Probate Court, FTM and other boards and commissions are retained in accordance with law and long tradition.**
- **The Planning Board retains the responsibility to review and revise the Comprehensive Plan, review and recommend changes to the Zoning Ordinance, and to review and approve subdivisions.**
- **Other boards and commissions established by ordinance remain unchanged.**
- **The functions and responsibilities of the Police Department remain unchanged.**

What is new?

- **The position of Town Manager.**
- **Authorization to create and administer a school district, if changes in the Chariho Act ever suggest that this would be in the Town's best interest.**
- **A requirement that a vacancy in the Town Council must be filled by the vote of a Special Election if the remainder of the vacant term is more than a year in length.**
- **A process that allows voters to directly enact, amend or repeal Town ordinances through Initiative and Referendum.**
- **The Treasurer would be appointed by the Town Manager, not elected, as is currently the practice.**

How does the Proposed Charter Address the Public's Concern for Ethics and Accountability in Government?

- The Charter contains strong conflict-of-interest language that would prevent Town employees and elected or appointed officials from directly or indirectly profiting inappropriately from their public positions or accepting gratuities or favors.
- Elected officials would be required to leave office if convicted of felonies, malfeasance, misfeasance, or nonfeasance.
- Background checks would be required of all candidates for elected office, appointees, or employees prior to their taking office or accepting employment.
- Town Council members would be prohibited from intervening in the hiring of Town employees or giving orders to Town employees, other than the Manager.

Has the Public Had an Opportunity to Review and Comment on the Draft Charter?

- Comments on the Draft Charter were invited at a Town Hall workshop on April 23 and at Public Hearings at Ashaway School on April 30 and at Hope Valley School on May 30. Additional written comments were submitted by interested citizens. Public input was thoughtful and constructive and the Charter you will be asked to adopt in November is a vastly improved document as a result.

What Changes Have Been Made to the Charter in Response to Public Comments?

- Members of boards and commission can serve on others.
- In order to protect the rights of candidates, potential appointees or new hires and to otherwise ensure that background checks are conducted fairly, the Town Council by ordinance is tasked to establish clear standards and procedures for conducting them.
- Preparation of the town budget involves the Finance Board at the very earliest stages.
- In order to protect against nepotism and insulate against politics or favoritism entering into the hiring of town employees and department heads, the Town Council is required by ordinance to enact a strong

personnel system which clearly sets forth the duties and responsibilities, and requirements for appointment (education and experience) for every position in Town service. In hiring, the town Manager is required to do so “solely on the basis of qualifications and experience” as set out in the personnel ordinance.

- Language that gave the Town Council the final authority to approve subdivision plats was found to be in violation of state law and has been removed.
- The Town Manager is tasked to prepare a long-range capital spending plan as part of the Town budget.
- The Town Treasurer, Tax Collector and Tax Assessor have been afforded equal status in a department of Finance reporting to the Town Manager.
- Likewise, for the Highway Supervisor and Building and Zoning Official in a Public Works Department.
- Charter provisions that delved into organizational, managerial and personnel details of the Police Department covered by union contract have been removed and the legal force of the contract acknowledged, consistent with state law.
- The positions of Recreation Director and Town Planner have been added.

When All is Said and Done, Why Should I Vote Yes for the Home Rule Charter on November 5?

- The people of Hopkinton have treasured and fiercely defended their independence for almost two hundred and fifty years. As we enter a new century, the members of the Hopkinton Charter Commission respectfully suggest that it is time, indeed past time, to seize control over the most direct expression of that independence, our government. Home Rule is what it says and Home Rule is what this Charter delivers. Join us in supporting the introduction of efficient and professional government to our wonderful community!

Respectfully, Hopkinton Charter Commission

Georgia Ure, Chair
Malcolm Grant, Vice Chair
Joseph Van Den Bossche, Secretary
Norman Brunelle
Ernest Cormier

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