

The following question and summary will appear on the ballot for the 2009 town election.
It is reproduced here in order that you might be familiar with it prior to election day
which will be November 3, 2009.

BALLOT QUESTION AND SUMMARY

QUESTION

Shall this town approve the new charter recommended by the charter commission, summarized below? *YES* *NO*

SUMMARY

The select board and the school committee will continue to consist of five members each, elected by the voters, but the terms of office will be changed from two to three years. The terms of members will be staggered so that no more than two seats will be up for election in any year.

Town elections will be held annually, during the April school vacation period.

The select board will be responsible to establish policy for all town activities, except schools, including budget priorities to guide the town manager in the preparation of the annual operating budget and in the delivery of all other municipal services and it will also be responsible to see that a comprehensive master plan is developed for the town.

The select board chair will be elected directly by the voters and will serve as a sixth non-voting member of the school committee. The select board will appoint the town manager and all citizen boards.

The town manager will continue to manage the daily operation of the town. New tools to assist the town manager include allotment schedules to identify any departmental deficit spending trends, periodic tracking of anticipated revenues and revenue trends, and a five-year capital plan. The town manager will receive a yearly evaluation by the select board.

A representative town assembly to consist of twenty-seven members will replace the fifty-member representative town meeting. Twenty members will be elected for two-year overlapping terms from each of the ten precincts. Six members will be elected at large for three-year terms. The voters will elect the assembly president for a three-year term.

Citizens can petition the town assembly at any time with 10 signatures and will now be able to initiate directly to the voters. Voters will retain referendum and be able to recall any elected official. Citizens will be guaranteed the right to speak at any public meeting of any board, including two community forums per year. Citizens can compel additional public forums with 300 signatures.

Because the above summary will appear on the election ballot, it is necessarily brief, and only touches on the high points of the charter proposal. The members of the charter commission urge you to read the full text of the charter that appears in this booklet, and to contact any of us if you have any questions.

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TO THE CITIZENS OF SAUGUS

INTRODUCTION

As we close out the first decade of the 21st Century, we find there is a growing sense that our political process lacks accountability and transparency. The decision making process in our town has become distant from the voters. Additionally, there is evidence that there is a lack of interest in participating in civic and local affairs. Citizens need to re-engage their community and must have the means and opportunity to do so in meaningful and effective ways. A town charter can be the key to such a process.

In November 2007, Saugus residents overwhelmingly voted to establish a charter commission to study the present form of government in Saugus and to propose changes, if necessary. The charter commission met almost weekly for over a year and a half, analyzing the provisions of the current Saugus charter and how they actually work, researching other possible forms of government, and finally drafting the charter you now hold in your hands.

During the course of our work, we received input from over two dozen community groups and civic organizations and from various town committees and boards. We interviewed town employees as well as past and present elected officials. We also met with officials and reviewed charters from other communities with different forms of government. Most importantly, we received comments, suggestions, and constructive criticism from many members of the public via email and regular mail, at numerous public hearings, and during regular meetings. We also reviewed a number of town documents and statistics, including a 2003 Financial Management Review prepared by the Department of Revenue, the end of year audit report prepared by the town's independent auditors, and past year local election vote tallies.

Based on our research and analysis and input from Saugus citizens, the charter commission decided to draft a new charter for Saugus for the 21st century. In drafting the new charter, we retained the assistance of two experts in municipal charters and considered the advice of the National Civic League and the International City/County Management Association. After completing a preliminary proposed charter on March 12, 2009, we received comments from the state Department of Housing and Community Development and from the state Attorney General's office, as well as additional input from members of the public and local elected officials. All of the additional comments and input were carefully considered and many were incorporated into the final proposed charter you now have before you.

The Saugus Charter Commission unanimously recommends to the Citizens of Saugus the **Saugus Home Rule Charter** for your consideration at the **Annual Town Election on November 3, 2009**.

STATEMENT OF MAJOR DIFFERENCES

Under the charter we are proposing, Saugus will continue to be called the "Town of Saugus." As in many other towns across Massachusetts, Saugus still will have a five-member body (the "select board") overseeing the executive branch, a five-member school committee, a professional

town manager, a large legislative body with neighborhood representation, and numerous citizen run committees and boards.

The new charter, however, also will change the local government in ways that will make it accountable to the citizens of Saugus and its decisions more transparent than the present charter.

Elected officials, not appointed officials, will make policy and appropriations decisions; the budget process, which will include an independent audit and a capital improvement plan, will be open and free of any conflicts of interest; and elections will be staggered and competitive. In addition, checks and balances will be strengthened through clearer separations of powers.

Transparency and openness are embedded throughout the charter. By ensuring that goal setting is required and practiced, public forums are held bi-annually, and that each multi-member elected board allows time for citizen input, these principles will be upheld. Managerial responsibilities, including policy making, are clearly defined and unambiguous. The charter also significantly reduces conflict of interest issues.

The new charter will also change and greatly improve the electoral process. The charter commission feels strongly that there is a need to make Saugus' elections more competitive and to eliminate the danger that is inherent in our current election process that allows for a complete turnover in the board of selectmen, school committee, and the representative town meeting every two years. This proposed charter calls for staggered terms for all elected officials. With only a portion of seats up for election in any given election, continuity will be assured. Also, this proposal moves the Town's elections from a biennial election in November to annual election in April, consistent with every other town in the Commonwealth of Massachusetts.

In addition, the new charter will greatly expand citizen access to their government. Citizen petitions can be brought to the assembly at any time with just 10 signatures. Citizens will now have initiative rights clearly spelled out in the charter. Referendum and recall have been preserved. All elected officials will be subject to recall. Citizens will be guaranteed the right to speak at all elected and appointed board meetings. There will be two mandatory public forums per year and citizens can compel additional forums with 300 signatures.

COMMISSION COMMENTS ON OTHER CHARTER FEATURES

The charter before you is based on four principles; accountability, transparency, improved electoral process, and greater citizen access. Each of the nine articles and sections have those principles woven and integrated through them. The charter before you is built on these principles. Below are some additional features for your consideration.

The new charter defines policy and requires that the select board be responsible to establish policy for the town. It places the select board budget input at the beginning of the budget process, rather than in the middle. They will also propose a comprehensive master plan for land use and zoning to the assembly. This will allow Saugus to make the highest and best use of its resources thus yielding maximum economic and environmental benefit. They will also continue to serve as sewer commissioners and assume the duties of water commissioners, which is currently a function of the representative town meeting. This is a consolidation recommended by the town's rate setting consultant.

The charter commission recommends placing the town's auditing function within the town

assembly, and specifically the new finance and audit committee. Under the new charter, the responsibility for auditing will be separated from those responsible to spend and procure. We are asking you, the voter to implement this requirement that will yield greater accountability and help to identify financial irregularities, establish greater financial oversight, so that timely action by the assembly can take place.

Moving from a representative town meeting to a representative town assembly will remove limitations that have cost Saugus money and resulted in delays and lost opportunities. These constraints include a 14-day notice requirement, having the agenda set by the selectmen and the town manager, and limiting the action of the town meeting only to those articles listed in a “warrant” and within the “scope” of those articles. Saugus has increasingly called more “special town meetings” in recent years to respond to fiscal and other emergency matters. Citizens who petition for legislation often have to wait up to six months for town meeting action to take effect because the attorney general must approve of the actions of town meetings. Moving to a town assembly eliminates these constraints.

Furthermore, all town meetings in Massachusetts, regardless of size, are exempt from the conflict of interest law. This exemption allows members to vote on matters in which they have or a family member has a direct financial interest. We are recommending that this practice end. It cannot end with a “town meeting” format. To eliminate all conflicts of interest as well as the appearance of conflicts, we are recommending that town employees not be able to hold any elective office unless they take a leave of absence.

We are also recommending that no elected official, including members of this charter commission, be eligible for town employment until one year passes from the time they leave office. Additionally, no elected official will be eligible for a salary, pension or health insurance. In fact, throughout the process, the charter commission has been extremely careful not to create new costs without having a corresponding benefit. For example, the cost of establishing the position of town auditor who reports to the town assembly will yield fiscal controls and greater accountability to the taxpayer. In addition, the charter commission believes an annual election will result in the voters having additional control over those they elect and how their taxpayer dollars are spent.

COMMISSION STATEMENT

Since its founding in 1815, Saugus has changed its government twice. In 1928, Saugus left behind the open town meeting in favor of a large limited representative town meeting. In 1947, change occurred again when the large limited representative town meeting was reduced to 50 members, the smallest of its type in Massachusetts, and combined with a town manager form of government with a biennial election cycle. In 1963, voters rejected having an elected mayor and a council. In 1983, voters rejected the recommendation of a divided charter commission to have an elected head of government and a 15-member council. Again, in 1985, voters rejected expanding the 50-member town meeting to 70.

Now in 2009, the voters will decide if the potential of Saugus can best be realized by what is in place or by what is before you. The nine of us are unanimous in our recommendation to you to adopt this change. Regardless of how you decide, we are grateful to have had this opportunity to serve Saugus, the town we love.

Signed this date, April 30, 2009, by the Saugus Charter Commission.

Peter Z. Manoogian Sr. - Chairman

Debra Panetta – Vice Chairman

Karla J. de Steuben

Karen Cote – Clerk

Albert W. Diotte Jr.

Eugene Decareau – Treasurer

Joan Fowler

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