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CHARTER COMPLIANCE COMMITTEE

Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

**DECISION**

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On May 17, 2018, the Charter Compliance Committee conducted a hearing to determine whether a Charter Violation by members of the Board of Selectmen of Section 3-3, Policy Role and Section 3-4 Authority and Role of the Board of Selectmen of the Town Charter occurred when Selectpersons Judith M. Froman and Donald J. Pickard published a letter in the Bourne Enterprise on March 30, 2018.

The Charter Compliance Committee certifies that the decision attached hereto is a true and correct copy of its decision rendered on May 17, 2018, and that copies of said decision, and all letters referred to in the decision, have been filed with the Town Clerk.

**I. PROCEDURAL HISTORY:**

- A. On March 26, 2018, a Special Town Meeting was held in the Town of Bourne. On March 30, 2018, in response to the public outcry over how and why the Special Town Meeting was conducted, two members of the Board of Selectmen, Judith M. Froman and Donald J. Pickard, published an "op-ed" letter in the Bourne Enterprise expressing regret over the way the meeting was handled. In the view of Bourne residents, Richard Conron and Judith Conron:

...this letter is a Charter violation because it represents the opinion of the entire Board of Selectmen and was never discussed or approved by a majority of the Board of Selectmen. It also violates the Rules of Procedure, *Section 4 Authority and Role of the Board of Selectmen*, "No actions representing the Board shall be taken by a member or members of the Board without the prior consent of a majority of the Board made at an open meeting. This shall be modified in the event of an emergency should immediate action be required in which case, the Chairman, Vice Chairman, or any Board members shall call an emergency session of the Board prior to the emergency action. Conron, Richard, and Judith Conron. "Letter Alleging Town Charter Violation." Received by Charter Compliance Committee, 2 Apr. 2018.

On April 17, 2018, at a duly convened meeting of the Charter Compliance Committee, the Committee voted 3-1-1 to hold a public hearing on the merits of the Conrons' Complaint.

- B. Proper notice was given and the public hearing was opened on May 17, 2018, and closed on May 17, 2018.
- C. The Committee reviewed the Complaint.
- D. The Committee gave due consideration to the testimony given at the public hearing.

## II. FINDINGS:

After hearing and due deliberation, on motion made by Deb Bryant and seconded by Roberta Dwyer, it was voted:

1. It is the finding of the Charter Compliance Committee that the "op-ed" written by Board of Selectmen members Judith M. Conron and Donald J. Pickard, that was published in the March 30, 2018 edition of the Bourne Enterprise, constituted a violation of the Town of Bourne Charter of Section 3-3, Policy Role and Section 3-4 Authority and Role of the Board of Selectmen.
2. Voting in Favor of finding that a Charter Violation had occurred:  
Lorna Ciavola  
Roberta Dwyer  
Deb Bryant
3. Voting that no Charter Violation had occurred:  
Christine Crane
4. Other Members Present:  
Amy Kullar  
Stephen Mealy



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For the Charter Compliance Committee