

TOWN GOVERNMENT STUDY COMMITTEE

Thursday, July 24, 2014 – Minutes

Meeting called to order by the Chairperson at 6:00 p.m. and the Chairperson read the recording disclaimer.

Present: Chairperson: Phil Washko, Vice Chair: Bernie Roderick, Mark Badwey, Rich Griffiths, Siobhan Henebury (arrived at 6:05 pm), and Pattie Pacella (arrived at 6:30 pm).

Absent: Dick Douglass

AGENDA:

Review/approve minutes: July 10, 2014

Bernie Roderick made a motion to approve the June 10th minutes with one amendment, to remove the last two bullets in category of Review Charter Material) and was seconded by Rich Griffiths.. The motion passed unanimously.

Opening Public Comment:

None.

Meeting with Mike Ward, Collins Center re: Charters:

Mike Ward discussed origin and function of the Collins Center.

He answered the question, Why a Charter?

- Allows you to think systematically and create a coherent goal
- Creates continuity/clarity
- Centralized information about Town Government

Why create it now?

- Do it before Town has a crisis

What are risks we may be facing?

Questions to Mike from the committee members:

Does Charter void existing bylaws?

Not necessarily.

Ok to use an existing charter and tweak to our needs?

Very common. And saves time.

Town Meeting need to approve?

Special Act route or Home Rule Charter process – regimented process

Town Meeting vote followed by Town wide vote.

Mike Ward said that the structural pieces should be go through the charter and a good Town Administrator will build on the other information in the DOR report.

Mr. Ward did say doing a charter within a year can be challenging, but can be done.

Phil Washko asked if he had any tips on engaging the public on the process.

Mr. Ward said that we are not the first community who has this trouble. He did express that perhaps we continue with press releases for information about charters, explaining it as a “foundation” or “structure”.

Another question that was asked was his thoughts on elected vs. appointed boards, which two routes in most towns.

Mr. Ward said that the Collin Center has done the framework for elected/appointed, and weighing the pros/cons of both.

As in a flow chart, need to ask yourself How much policy authority does the Board have?

Less? Maybe doesn't need to be elected.

A lot? Elected.

Duties and Responsibilities: Description or wide open would be more elected

Less descriptive and not wide open, maybe appointed.

Mike Ward will forward points/bullets information on the flow chart they did appointed/elected.

Bernie Roderick asked how you get the political out of appointed.

"Always going to be political."

Discussion on appointed/elected.

Rich Griffiths asked a question about if the bylaws have been changed by Special Acts and there's tons out there would the Charter supersede them.

Mike Ward said some things need to be left and that in the future you can recodify the bylaws after the charter is passed. The Charter would be anchored with the bylaws.

Phil Washko asked for examples of what things didn't need to be in a charter and why?

--Budget Process (spell out specifications but he has seen deadlines (dates) put into a charter and wouldn't recommend putting in dates, as things change.)

--General framework in Charter

Deadlines and procedures in the bylaws.

Mark Badwey asked about a Strong TA (Town Administrator), and the qualities of a "strong" vs. not.

--Hiring & Firing of a TA vs. Selectman

--Who's driver of the budget process?

--Creation of personnel

--Who's signing contracts? Collective bargains

Another question was asked how to advertise for a TA, through MMA?

Mike Ward of course, recommended the Collins Center, as that's what they do and they have the experience of finding someone (even someone who may not be looking). They know who's out there. And/or a screening committee.

Pitfalls of a charter?

--Structure we feel good supporting – politically viable. ("too much" tweaking could be too much to handle at once)

--Keep public aware

Mike Ward's advice to us:

--Continuing research

--Continuing to discuss and debate valid points

--Make sure we have broad committee members

--Clarity of Purpose

ACTION ITEM #1: Phil Washko will send an email to Mike Ward with a list of what we are reviewing.

Review/Discuss Charter Review Project:

Siobhan Henebury reviewed the paperwork she gave everyone in review of other Charters.

Phil Washko suggested the Committee pick two Towns and study their charters. He recommended Hubbardston & Plymouth.

Rich Griffiths suggested they look at representative Town Meeting Charters only and recommended reviewing one charter as a starting point. Plymouth is representative and Hubbardston is open meeting.

Discussion of a starting point with one or two Charters.

Phil Washko proposed using a cut/paste method with our Town bylaws into their Table of Contents (Plymouth's). Phil Washko asked if Rich Griffiths would mind preparing the draft as he has a lot of the information already.

Rich agreed.

ACTION ITEM #2: Rich Griffiths will cut/paste our bylaws into the Table of Contents, leaving anything that is not in our bylaws, but in their charter in for review.

Discuss define items for potential change:

The committee agreed to take the following items and do research back to the Committee.

Financial Committee **Mark Badwey would review.**
Jurisdiction of BOH to employ people **Pattie**
Fire & Police "Strong Chiefs" **Bernie.**

Identify research and what needs to be further looked into.

Siobhan Henebury recommended a policy manual for the Board of Selectman. Phil Washko stated that Board of Selectman, Mr. Espindola was active with starting that. Ms. Henebury said she would also begin reviews.

Incomplete Interview Reviews:

Board of Health: Bernie Roderick and Mark Badwey. Pattie Pacella also asked to be present.

Harbormaster & Shellfish Warden: Phil Washko, Rich Griffiths and Mark Badwey

Discuss Public Survey:

Phil Washko passed out the public survey as it is complete. He said they should send it out to every department head and committee chairperson.

Review of what still needed to be added to the draft: adding Titles to each page and footers and an introductory page.

Discussion on publishing the results and filtering.

ACTION ITEM #3: Phil Washko asked everyone to review and send back any changes.

Discuss/Plan IT Assessment:

Bernie Roderick and Phil Washko met with Paul Kitchen on how the School department went about there's. The reported they got a lot of information. They agreed to prepare an RFP.

Discussion on getting our monies worth.

Discussion if we should be involved with this or have BOS, who took it on themselves to finish it. Mr. Washko said that Mr. Espindola asked him and our committee to continue with it.

Other questions from the Committee members:

Next Meetings: 8/7, 8/21

Discussion around maybe starting weekly in September. Rich Griffiths suggested writing up a "hope to complete" of dates/meetings.

Phil Washko said that our priority is to do it right.

Bernie Roderick suggested publication with the Neighborhood News on a 'Charter.'

ACTION ITEM #4: Phil Washko will inquire about publication with the Fairhaven Neighborhood News.

Pattie Pacella made a motion to adjourn and it was seconded by Bernie Roderick. The motion passed unanimously.

Meeting adjourned at 8:04 p.m.

Respectively submitted,

Patricia A. Pacella
Recording Secretary