

**Town of Norwell  
Government Study Committee  
March 7, 2011**

**In attendance: Paula White, Betsy Gordon, Don Shute, Dan Collins, Eric Russo  
Issues and Requests from GSC Meeting with Town Boards, Committees and  
Commissions March 7, 2011**

- 1) The meeting was called to order. 7:00pm
- 2) Betsy Gordon made the welcoming comment and introduced the draft of the proposed charter change. The committee will consider proposed changes if we have either made an error or if the language needs clarification.
- 3) The meeting was open to comments from members of town committees.
  - a) Library Trustees and the Library Director want express language exempting the Library in all instances where the Town Administrator (TA) exercises power to appoint, remove, supervise, organize, or manage persons or property under his direction. They are concerned that general reference to the General Laws is insufficient and that the TA could control Library personnel and property, including trust funds. *Article 5, Sections 5-2(b)3,4,5 and (c)2&7 of Charter Revision.*
  - b) 2. Capital Budget Committee (Robert Bordewieck) proposed developing separate “charters” for each of the Town boards, committees and commissions.
  - c) 3. Various board members want elected and appointed boards to have the power to approve or reject the appointment or removal of an assistant department head or other subordinate. The draft revision only requires the department head to consult with elected and appointed boards. *Article 5, Section 5-2(b)(4) of Charter Revision.*
  - d) 4. Conservation Commission wants the power to approve not just consult the TA’s selection of a department head (i.e. Conservation Agent). The draft only requires that the TA consult with the appointed board and the Board of Selectmen has the power to reject within 20 days. *Article 5, Section 5-2(b)(2) & (4) of Charter Revision.*
  - e) 5. Fire Chief Andy Reardon wants the TA to appoint the Fire Chief, not the Board of Selectmen under the current process. Chief Reardon argued for a professional administrator who understands public safety standards, has training in municipal law and administration, and hiring practices. Chief Reardon indicated that Police Chief Ross also wished to be appointed by the TA for the same reasons but stopped short of formally advocating on his behalf. The draft makes no change to the Board of

Selectmen's appointment of the Fire and Police Chiefs. *Article 5, Section 5-2(b)(1) of Charter Revision.*

- f) 6. Planning Board questioned the necessity of providing a comprehensive listing of TA powers, duties and rights in the Charter. Argued instead for a job description. The draft lists all of the powers, duties and rights of the TA. *Article 5 of Charter Revision.*
- g) 7. Planning Board (Sally Turner) questioned the necessity of transitioning to a 5-member Board of Selectmen when the current Charter provides for either 3 or 5 members. The by-laws provide for 3 members and would require a two-thirds vote by the Town to amend. The draft only provides for a 5-member Board of Selectmen, which would override the by-law via its "Continuation of existing laws, bylaws" section. *Article 3, Section 3-1 of Charter Revision; Article 6, Section 6-2(a) of Charter Revision. She was also concerned with the TA appointing Department heads under Article 5-2b(3)*
- h) 8. David Turner questioned the entire Charter Revision and argued for a very spare Charter generally with emphasis on by-laws.
- i) 9. Planning Board (Peggy Etzel) questioned the Town's legal vulnerability for human resources violations or other administrative errors and asserted that the Town has not been sued in a 20-year period. Also argued that elected and appointed boards needed the right to consent on all appointments and removals that affect their boards (presumably, this includes appointments and removals of employees by department heads). *Article 5 of Charter Revision (generally); Article 5, Section 5-2(b) of Charter Revision.*
- j) 10 Board of Water Commissioners (Steven Ivas) wants to include specific reference to the Master Plan as part of Board of Selectmen's duties. The draft makes general reference to "the development and promulgation of policy directives and guidelines" and "long-term plans and programs." Members of the Planning Board disagreed, noting the practical benefit of keeping the document flexible and capable of conforming to changes in law and policy. *Article 3, Section 3-2 of Charter Revision.*
- k) 11. Marie Molla questioned inclusion of an Advisory Board member on the 3-member Nominating Committee. She also expressed concern over the effect of the "Continuation of existing laws, bylaws" section of the Revision with respect to the Advisory Board. The draft includes an Advisory Board member on the Nominating Committee, with some limiting language, and provides for the continuation of existing Charter provisions and by-laws if they do not conflict with the Charter

Revision. *Article 4 of Charter Revision (generally); Article 6, Section 6-2(a) of Charter Revision.*

- 1) Zoning Board of Appeals (Lois Barbour) asked that the Committee to merge the Charter Revision with the Charter in a redline/markup format so that the public can see the how the proposed changes, including repeals, affect the existing Charter. Others proposed supplemental materials that would give voters the ability to compare the Charter to changes proposed by the Charter Revision.
- 4) The committee agreed to review all these requests and make amendments to the revision if they conform with the general design and integrity of the revised charter.
- 5) Next Meeting – Wednesday, March 9, 2011
- 6) Meeting Adjourned