

SAUGUS CHARTER COMMISSION
APPROVED MEETING MINUTES
OF
MARCH 26, 2009

The fifty-eighth meeting of the Saugus Charter Commission was held on Thursday, March 26, 2009. The meeting was held in the Town Hall Auditorium. The meeting was called to order by the Chairman, Peter Manoogian, at 7:30 P.M.

STEP 8: REDESIGN

ROLL CALL OF MEMBERS

Eight members of the nine member committee were present at roll call: Karen Cote, Eugene Decareau, Karla J. de Steuben, Albert W. Diotte, Jr., Joan Fowler, Peter Manoogian, Sr., Debra Panetta, and Thomas Stewart.

Cam Cicolini was absent from the Meeting.

The Chairman noted that there were more than enough for a quorum.

PUBLIC FORUM

None at this time.

READING OF MINUTES OF LAST MEETING (March 19, 2009)

Minutes were distributed to all Commission Members to review before the next Meeting.

ACCEPTANCE OF PREVIOUS MINUTES (March 12, 2009)

Ms. Panetta made a motion to accept the minutes of March 12, 2009.

The Chairman seconded the motion.

The motion passed **8-0**

CHAIRMAN'S REPORT

- **Large Print Charters**
Newspaper stated that "large print" copies of the charter were available to pick up in the Town Clerk's office, instead of for viewing. Copies have since been made and are now available if anyone wishes to pick one up. They are still available for viewing in the Library, Senior Center and Town Clerk's Office.

- The Chairman noted that the Members are in "Step 8: Redesign," and reviewed the schedule for revisions. The target date for Mr. Curran to provide a revised document is April 9, 2009.

TREASURER'S REPORT

Mr. Decareau made a motion to approve the balance of \$3,606.15.

The Chairman seconded the motion.

The motion passed **8-0**

COMMITTEE REPORT

Mr. Stewart reported that the Commission is into Step 8, which will be culminated by the Final Report being sent to the Board of Selectmen.

CORRESPONDENCE

- **Letter submitted by Selectman Kelleher**

The Chairman read a letter received by Mr. Kelleher expressing his view that the Licensing Board should remain under the Board of Selectmen, town employees should not be restricted from seeking office, and his concern with the proposed size of the Assembly, feeling that it is too small.

- **Letter from Frank Biron – Melanson & Heath**

The Chairman noted that he had put copies of a letter from Frank Biron, an auditor from Melanson & Heath, in their folders.

For two years in a row, the firm has recommended that the Town have an internal audit function. The Chairman e-mailed Mr. Biron the proposed charter change and asked him to review and make comment.

The Chairman read his letter responding to this request.

The Chairman noted that concludes the body of testimony that Members have heard publicly, or received in writing. It is now the Commission's job to determine which of those comments they feel strongly about, and which ones to base their revisions on.

UNFINISHED BUSINESS

None at this time.

NEW BUSINESS

- **Revisions to Preliminary Report**

- **AG Letter**

Members reviewed the portion of the letter from Ms. Coakley that pertains to Section 3-1 (f) – page 14. Discussion followed amongst the Members, and with the Consultant.

Mr. Decareau made a motion to leave the language as is in paragraph (f), page 14.

The Chairman seconded the motion.

Roll Call Vote:	Karen Cote	yes
	Eugene Decareau	yes
	Karla de Steuben	no
	Albert Diotte	yes
	Joan Fowler	yes
	Peter Manoogian	no
	Debra Panetta	no
	Thomas Stewart	no

The motion failed **4-4**

Ms. Panetta made a motion that, after the word “jurisdictions,” add the verbiage “in a manner consistent with state law,” as recommended by the Attorney General’s letter. The Chairman seconded the motion.

Roll Call Vote:

Karen Cote	yes
Eugene Decareau	no
Karla de Steuben	no
Albert Diotte	yes
Joan Fowler	no
Peter Manoogian	yes
Debra Panetta	yes
Thomas Stewart	no

The motion failed **4-4**

Ms. de Steuben made a motion to have the Consultant redraft paragraph 3-1(f) so that it reflects that the Select Board shall act as the Water & Sewer Commission.

The Chairman seconded the motion.

Roll Call Vote:

Karen Cote	no
Eugene Decareau	no
Karla de Steuben	yes
Albert Diotte	yes
Joan Fowler	yes
Peter Manoogian	yes
Debra Panetta	yes
Thomas Stewart	yes

The motion passed **6-2**

Section 3-2 (a), 4th paragraph, first sentence, delete the word “chair” to read: “The town manager shall ensure that the select board is kept fully informed of...”

Section 5-3 (b), page 20, delete the words “by ordinance.”

Section 6-8 (b), page 24, include language “or any other town agency not under the jurisdiction of the town manager.”

Section 8-5, page 31, last sentence, insert the words “Except in case of emergencies” to read: “Except in case of emergencies, no rule or regulation...”

Section 9-5 (o), page 39, amend to “reflect first business day after their election.”

○ **School Committee Letter**

Mr. Curran gave a brief statement pertaining to the letter received by the School Committee and their discussion with Members at the last Meeting.

Section 3-8, page 16, change to reflect that the nomination would come from the school committee, to be voted on by the convention. (make consistent)

Section 5-4, page 21, delete “but need not be” and add “or designee” to read: “and may be a member of the school committee or designee.”

Section 6-4 (a), bottom of page 22, change “published” to “distributed” to read: “...shall cause to be distributed to any local newspaper...”

Section 6-10, page 25, third paragraph, add footnote that reflecting that the town manager cannot dictate school spending.

Section 8-7 (e), page 32, change title from “Citizen Speak Time” to “Citizen Input”

A recess was called at 9:13 PM

Meeting resumed at 9:23 PM

- **Public Hearing Comments**

- **Prohibitions / Ethics**

- Mr. Curran gave a brief overview of Ms. Roney’s attendance at the last Meeting. Members discussed prohibition of town employees serving as elected officials. Members agreed to leave provision as proposed.

- **Licensing Board**

- Chairman discussed conversation he had with Clerk from Weymouth, where the licensing board consists of police, fire, building inspector, health department and town clerk.

- Mr. Manoogian discussed various options available to Members: keep proposed separate licensing board, leave with select board, leave with select board and create traffic commission, create a hybrid board with police, fire, etc.

- Members discussed various options for licensing board and traffic commission. Discussion will continue at next Meeting.

- Ms. de Steuben suggested inviting Mr. Kelleher and Ms. Jarosz to attend the next Meeting. All Members agreed.

- **Next meetings**

- Clerk was asked to post meetings for April 2, 2009 and April 9, 2009 at 7:30 PM in the Town Hall Auditorium.

PUBLIC FORUM

None at this time.

MEMBERS ANNOUNCEMENTS / MOTIONS

The Chairman referred to the NY Times article that was included in the Member’s folders.

Members agreed that it made it even more compelling to have elections during school vacation week.

Mr. Decareau made a motion to establish the election date as the first Wednesday after Patriot's Day, in April.

The Chairman seconded the motion.

The motion passed **8-0**

ADJOURNMENT

Mr. Stewart made a motion to adjourn at 10:13 PM.

The Chairman seconded the motion.

The motion passed **8-0**

APPROVED ON _____

SUBMITTED BY _____

Issues to Revisit

- 1. Filling a vacancy on the School Committee and the Select Board, and the possibility of a "runner-up" provision**
- 2. Add language to 2-2(b) stating assembly president to step down when speaking on issue**
- 3. In 2-4, omit "compensation" (also for School Committee and Select Board)**
- 4. Move the polling date to the first Tuesday following the third Monday in April.**
- 5. Page 15, section (b), first line – delete "and clerk" and in the last line, delete "and another one of its members to serve as clerk of the select board"**
- 6. (Bottom of page 17), need to add "from a list of three names submitted by the conservation commission"**
- 7. Section 1-8(b), definition of "emergency" - add language that a copy of the written statement would be filed at the Town Clerk's Office within 7 days.**
- 8. Section 6-3(a), second line – change "consent" to "consist" to read: "which shall consist of nine members." In the last line, include language that the ordinance shall specify a term not to exceed three years.**
- 9. Section 6-4(a), last line – add word "present" to read: "until all persons present who desire to be heard..."**
- 10. Pages 27-28, Sections 7-5(c) and 7-6, change "within 5 days" to "within 10 days"**
- 11. Page 28, Section 7-5(d), clarify language beginning with "If the assembly fails to act..."**
- 12. Consider the Constable provision**

13. Section 3-8, Page 16 – Filling of Vacancies – reconsider having the Select Board, rather than the Assembly, be part of the joint convention
14. Section 5-4, Page 21 – Planning and Construction of Buildings and Other Facilities – Paragraph (a), last sentence – delete “but need not be” and add “or designee” to read: “and may be a member of the school committee or designee.”
15. Section 6-4, Page 22 – School Committee Budget - Paragraph (a), change “published” to “distributed” to read: “...shall cause to be distributed in a local newspaper...”
16. Section 6-10, Page 25 – Allotments – Third Paragraph, assure that town manager does not dictate how school department spends their money
- 17. Have Mr. Curran go over the pros and cons of a licensing board similar to Weymouth, and how much discretion there is.**

Items 13-16 were re-visited at this Meeting.