

**Ad Hoc Government Study Committee (Westborough, MA)**  
**Minutes of November 1, 2006**

Present: John E. Arnold, George Barrette, Christopher Senie, Thomas Shea, Brigitte Casemyr

Absent: Manohar Vichare, Kristina Allen

Chairman Shea called the meeting to order @ 7:05 pm.

Mr. Shea welcomed Jim Tashjian to the committee meeting. Mr. Tashjian is a former town moderator for Westborough, having served in that capacity from 1972-1984. In addition, he has served on a number of committees over the years, including the finance committee, and is regularly appointed Deputy Moderator during present time town meetings.

Mr. Shea set the stage for the meeting by inviting Mr. Tashjian to share his thoughts on the structure and organization of town meeting, town departments and management and how any of these could be improved upon

Mr. Tashjian opened by stating that he tended to lean on the conservative side, and would not suggest change for the sake of change. Overall, he believes the town government is working well, and he'll share his views from that premise. He is in favor of retaining the structure of open town meeting (OTM), as long as the meeting can continue to be run in an orderly manner. The main advantage of OTM is that it is one of the few areas of open government: a resident can participate, speak and vote. Problems can occur, according to Mr. Tashjian, when there are large crowds. While this has been infrequent, it has happened but not to the point of becoming an issue. However, should packed town meetings happen regularly, that could not be run in an orderly manner, then Mr. Tashjian would recommend that the town explore a representative town meeting (RTM) structure. Mr. Tashjian further suggests that Westborough nearly has RTM already, because of the regular participants. He did remark that because not everyone who participates takes the time to educate himself or herself on the issues prior to the meeting, the discussion tends to become repetitive, and the process could be viewed as wasteful.

Mr. Tashjian added that Shrewsbury has successful RTMs, and that citizens seem quite content. The RTMs seem pretty well attended, the representation seems in balance, and members are better educated overall on the issues, which helps create a better balance as well. However, the process becomes politicized since RTM representatives are elected. Elections tend to keep people in or out of the system, and there are risks with such a system.

Mr. Shea put forth the question about possibly locating the town meeting outside of the town's geography. Ms. Yendriga, Town Clerk, who attended the committee's meeting, commented that she had attended a very well-attended Town Meeting in Southborough as an observer one year in the space mentioned as a possible out-of-town site for a Westborough Town Meeting. She reported that the facility was not adequate for such

meetings: people could not hear, the movement of the approx. 1,000 people was chaotic, there was an echo, and in fact, not a lot was accomplished during the meeting.

Mr. Arnold recapped the issues that arose a few years back, when the town meeting was held in two separate rooms at the high school, which led to suspicions that voters were moving in and out of the rooms to vote more than once, and noted that Town Moderator J. Harrington would now close the doors in such an event to prevent this behavior.

Mr. Barrette asked for Mr. Tashjian's opinion on the moderator's appointing authority. Mr. Tashjian responded that prior to the last charter review, the moderator's appointing authority was much broader than it is now. All special committees were the moderator's responsibilities, but the Town Coordinator had now absorbed some of those. Mr. Tashjian feels strongly that the moderator should retain the authority to appoint the members of the finance committee. The finance committee members represent the interests of the voters; their job is to take all feedback and proposals and make recommendations to the voters, on their behalf. It would be counter productive to have different bodies make appointments to the finance committee, as this would result in a government-representative body [and not a voter-representative body]. The moderator is impartial, independent and well qualified. Obviously, the quality of the person who serves as Moderator is critical. If the finance committee were not working well, you would have a confused town meeting body.

At this point, Mr. Shea asked about views on the Capital Expenditure Planning Committee. Mr. Barrette described the composition of that committee, and stated that Town Moderator J. Harrington currently uses one of his appointments for a representative of the school committee, which currently is not a member. Mr. Tashjian supports the suggestions that this assignment should be formalized in the charter.

Mr. Tashjian suggested that the committee entertain the idea of a Strategic Planning Committee, which would pull together representatives from all the major departments. The Capital Expenditure Planning Committee deals with long-term projects, but a Strategic Planning Committee could serve as a forum to deal with both short and long-term. This is why the finance committee is so critical, because it ties in all departments.

Mr. Barrette inquired about the role of the Personnel Board, to which Mr. Tashjian responded that this was a difficult topic. He is not sure if the Personnel Board represents the employees or the employer, and where they fall when they need to resolve issues. Mr. Tashjian believes that this board needs to be independent, which is why it falls on the moderator to appoint its members. Its role today seems to be marginal, with only about 39 non-union employees to deal with. Mr. Tashjian suggested that with such a small group of people under its purview, these employees could get more isolated and feel that no one is looking out for them. Mr. Barrette commented that the Personnel Board manages the Quinn Bill benefits. Ms. Yendriga added that since she is elected, she negotiates her salary with the Personnel Board. Her alternative is to go to town meeting and ask for a raise.

Mr. Shea then asked about the appointment of a deputy moderator at town meeting, and what would happen is the moderator himself would not be able to open the town meeting due to illness. Ms. Yendriga confirmed that she then would open the meeting, per state statute, and she will provide the committee with the specifics of that statute.

Next, Mr. Tashjian was asked if he had an opinion about the ‘propounding questions’ comments made by Mr. Harrington (at an earlier meeting – regarding Bylaws Article 2, Section 8). Mr. Tashjian had no specific comment on this.

Mr. Tashjian was also asked about the set of motions that appears in Bylaws Article 2, Section 9. Mr. Tashjian mentioned that motion 5 (“Lay on or take from the table”) could probably be removed without doing any harm to the Town Meeting process. He also felt that Motion 8 (“Postpone to a certain time”) could do with some rewording to include the concept of being postponed to a particular place in the warrant. In the discussion of Motion 10 (“Pass over”), Mr. Tashjian commented that, although the motion to pass over is no longer being used as it once was (to essentially defeat an article by taking a yes/no vote), there are still times when it could have usefulness to a Town Meeting. An example that demonstrated this would be a complicated main motion for which many amendments may be pending for Town Meeting action. In a case such as this, it may be efficient to allow a motion to pass over in order to bypass the need to vote on the various amendments such that the main motion can have a yes/no vote.

Mr. Shea asked if Mr. Tashjian had any opinions about the quorum being 100 voters. Mr. Tashjian said that it was good to have a quorum and that, with the quorum changed to 100, the operation of the Town Meeting seems pretty stable now such that there are typically enough voters present at the starting time for Town Meeting. Therefore, the delays that occurred when the quorum was larger are no longer encountered.

When asked if there were any other thoughts that came to mind, Mr. Tashjian mentioned the Community Preservation Act. He mentioned that the towns that have adopted it seem to be pretty happy with it. He understands that it has not been adopted by Westborough though it has been discussed and wondered aloud whether the Town may be missing out on some possible benefits. Mr. Barrette mentioned that the Selectmen had wanted to have a Study Committee look into the details of the Community Preservation Act. However, it had been defeated twice when brought to Town Meeting by other groups. This seems to have affected the ability to attract people to serve the Study Committee. Mr. Barrette mentioned that 4 groups could be eligible for the money associated with the Act: the Historic Commission, the Open Space Preservation Committee, the Housing Authority, and the Recreation Commission.

Mr. Shea asked if Mr. Tashjian had any thoughts on the Town Coordinator or Town Manager topic. Mr. Tashjian observed that this was a control issue: to whom do the voters want to delegate control over which aspects of town government and town operation. His personal preference is for control by a group rather than a single person. If excessive power is written into law, it can lead to different problems. The way it works

now is to selectively yield authority but the Charter and Bylaws allow the authority to be taken back if it is deemed necessary.

At this point, Mr. Shea thanked Mr. Tashjian for his time and for sharing his experiences and thoughts with the Committee.

The next item of business was to discuss the collection of comments from the public, town employees, etc. who have either emailed their comments to the Committee's email address or dropped off comments at Town Hall. Mr. Barrette brought in printouts of the emails that have been received to date and copies were made and distributed to the committee members. Mr. Barrette will bring in the comments that have been dropped off at Town Hall to a future committee meeting.

The minutes of the October 11<sup>th</sup> meeting were reviewed, J. Arnold made the motion to approve, seconded by C. Senie, and approved with one abstention due to absence at that meeting (Mr. Barrette).

The minutes of the October 18<sup>th</sup> were reviewed and comments incorporated to clarify statements. G. Barrette made the motion to approve, J. Arnold seconded and the minutes were approved as amended.

The committee then continued its deliberations surrounding the topics of scheduling additional interviews. We have two booked meetings, Nov 8<sup>th</sup>, Mr. Blois, Town Manager, Ashland (and former Town Coordinator, W.), and on Nov. 14<sup>th</sup>, Mr. Mogado, Shrewsbury Town Manager and Mr. Lebeaux, Chair, Shrewsbury Board of Selectmen (Tentative). T. Shea will reach out to the Planning Board and the Personnel Board, while acknowledging that attempts to schedule these meetings have run into conflicts, for the dates of 11/29 and 12/6.

Further, the committee members deliberated on the course of action to take in preparation of a tentative interim report to the Board of Selectmen in early February. Some members thought that the committee should hold off of on further interviews and research to concentrate on the analysis of the input received so far, while others felt that the research phase was still only in its infancy, and that more interviews, especially with department heads, needed to be scheduled. Further, because of the amount of outreach the committee has done, a number of letters and email communications have been received, that will need to be reviewed. [Note these communications are being distributed to all committee members and are entered into these minutes as standalone notes.] Mr. Barrette commented that, upon completion of the committee's work, one possible recommendation to the Board of Selectmen could be that the town needs to form a charter review committee. An alternate recommendation could state that this committee needs more time. The committee entertained the idea that we may ask for input from specific town employees in a 'town hall' type forum, on a different day of the week to accommodate their schedules better, maybe even host a coffee. In addition, Mr. Shea will contact Chief Gordon to follow-up on Ms. Casemyr's invitation to give input to the committee.

Mr. Senie suggested that the committee reserve December 13<sup>th</sup> as a deliberation meeting, so that we may start an in-depth review of the input received so far. This would allow the members to get a better sense of the questions that we would want to explore further, and we would get started on a checklist. Ms. Casemyr pointed to a document that she had started to compile, to capture questions that arose during interviews and suggested that the committee collectively work on capturing more questions. Ms. Yendriga suggested this committee could turn to the Massachusetts Municipal Association as a resource.

Mr. Arnold then presented the updated organization chart (included as an attachment to these Minutes) that he had developed using the Town Charter and Bylaws and the 2006 Annual Town Report as the primary source of information. This chart attempts to document the appointing authority of the various town officials, commissions, committees, departments, etc. Ms. Yendriga offered to give Mr. Arnold copies of her notes showing the updates since the last town meeting so that he may incorporate these changes into this chart. This organizational chart documents each body in town, its composition, appointing authority and reporting structure, and the terms for each elected position.

The meeting was adjourned at 9:30 pm. (Motion: C. Senie, 2<sup>nd</sup>: J. Arnold. Unanimous vote)

Submitted,  
Brigitte Casemyr, Secretary

Appendix in hard copy only – Westborough Draft Town Organizational Chart